

# CRS Report for Congress

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## **Appropriations for FY2001: Treasury, Postal Service, Executive Office of the President, and General Government**

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Appropriations are one part of a complex federal budget process that includes budget resolutions, appropriations (regular, supplemental, and continuing) bills, rescissions, and budget reconciliation bills. The process begins with the President's budget request and is bounded by the rules of the House and Senate, the Congressional Budget and Impoundment Control Act of 1974 (as amended), the Budget Enforcement Act of 1990, and current program authorizations.

This report is a guide to one of the 13 regular appropriations bills that Congress passes each year. It is designed to supplement the information provided by the House and Senate Appropriations Subcommittees on Treasury, Postal Service, and General Government. It summarizes the current legislative status of the bill, its scope, major issues, funding levels, and related legislative activity. The report lists the key CRS staff relevant to the issues covered and related CRS products.

This report is updated as soon as possible after major legislative developments, especially following legislative action in the committees and on the floor of the House and Senate.

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# Appropriations for FY2001: Treasury, Postal Service, Executive Office of the President, and General Government

## Summary

FY2001 Treasury, Postal Service, Executive Office of the president, and General Government funding was enacted through P.L. 106-554, the Consolidated Appropriations Act for FY2001, December 21, 2001. Partial funding for a select few of the accounts and some general provisions of the Treasury, Postal Service, Executive Office of the President, and General Government FY2001 Appropriations are included in the Department of Transportation FY2001 Appropriation (P.L. 106-346, Title V, October 23, 2000) and the continuing funding resolution (P.L. 106-275, as amended). Twenty-one continuing resolutions provided stopgap funding during the period October 1 through December 21, 2000. There were four appropriations bills which would have funded all or some of the accounts usually funded through the Treasury, Postal Service and General Government FY2001 appropriations acts. The House had passed, on July 20, H.R. 4871. The Senate had reported, on July 20, S. 2900 and, on July 26, had voted to invoke cloture to proceed with debate on H.R. 4871. The third version, H.R. 4985, was introduced on July 26 as a new bill and reported from the Legislative Branch (H.R. 4516) appropriations conference committee as section 1001, Division B of that conference. This bill was vetoed October 30, 2000. The House agreed to the conference report on H.R. 4516 September 14. On October 6, the House and Senate approved and sent to the President, a conference agreement for Department of Transportation appropriations (H.R. 4475). Title V partially funds (\$348.4 million) several of the accounts.

P.L. 106-554 funds the accounts at \$30.4 billion (\$14.7 in mandatory funding and \$15.6 in discretionary accounts). The FY2001 budget, submitted to Congress on February 7, 2000, requested \$31.2 billion. The FY2000 funding totals \$28.3 billion, including mandatory funding (reflecting scorekeeping by the Congressional Budget Office (CBO)). Incorporating the CBO scorekeeping for FY2001, the budget would have mandatory accounts funded at \$14.7 billion and discretionary funding set at \$16.5 billion. The House and Senate Appropriations Committees approved allocations to the various appropriations: House—discretionary budget authority at \$14.402 billion with outlays at \$14.751 billion; and Senate—\$14.3 billion for budget authority and \$14.566 billion for outlays. While the congressional allocations were in disagreement with one another, they were consistently lower than the requested funding. P.L. 106-346 (H.R. 4475) adds \$348 million.

The Budget and Key Policy Issues section of the report discusses both the funding provisions and policy initiatives in the funding statutes. The funding provisions in Title V of the Department of Transportation appropriations act were critical to the success of passage of the main funding provisions in that compromises were reached on the main bill based on commitments to funding for the Department of the Treasury, principally the Internal Revenue Service's (IRS) STABLE program and for IRS information technology. Table 4 details the funding, in the various versions of the FY2001 appropriations proposals, by account.

## Key Policy Staff

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Executive Office of the President	Rogelio Garcia	G&F	7-8687
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Federal Election Commission	Joseph Cantor	G&F	7-7876
Federal Employee Health Care Policy	Carolyn Merck	DSP	7-7320
Federal Employee Pension Policy	Patrick Purcell	DSP	7-7571
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Division abbreviations: G&F = Government and Finance; DSP = Domestic Social Policy; RSI=Resources, Science, and Industry.

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# Appropriations for FY2001: Treasury, Postal Service, Executive Office of the President, and General Government

## Most Recent Developments

*P.L. 106-554, signed December 21, 2000, is the law through which, H.R. 5658, the Treasury, Postal Service, Executive Office of the President, and General Government Appropriations, 2001 was enacted.*

*P.L. 106-275, the FY2001 continuing funding resolution, as amended by 20 further continuing funding resolutions, provided funding for most Treasury and General Government accounts at the FY2000 level. However, there was funding provided to the General Services Administration to administer the transition and to the Executive Residence for the purpose of preparing for the transfer of families in the White House.*

*On October 23, the President signed P.L. 106-346 (H.R. 4475), the Transportation appropriations bill, Title V of which partially funds a select group of accounts from the Treasury, Postal Service, and General Government primary funding measure.*

## Note to Reader:

Prior to enactment of P.L. 106-554, through which the FY2001 Treasury and General Government appropriations were enacted, there were several measures which either would have, or actually did, fund affected accounts. Because the discussions in this report will refer to various measures, the following key is provided as a guide.

**House bill or H.R. 4871** (Reported by House Committee on Appropriations and passed the House)

**Senate bill or S. 2900** (Reported by Senate Committee on Appropriations)

**Legislative Branch Appropriation—conference report or H.R. 4516/H.R. 4985** (Vetoed October 30)

**Transportation Appropriations or P.L. 106-346 (H.R. 4475)** (Title V, partial funding and some general provisions)

**FY2001 Continuing Funding Resolution or P.L. 106-275, as amended.** (P.L. 106-426, provides funding for the presidential transition and P.L. 106-520 authorizes use of White House funds for transition moving expenses)

**The Act or P. L. 106-554** (Enacts H.R. 5658, Treasury and General Government)

## Introduction

The bulk of the accounts within the Treasury, Postal Service, Executive Office of the President, and General Government FY2001 are funded through P.L. 106-554 (H.R. 4577/H.R. 5658). However, P.L. 106-346, signed by the President October 23, provides supplemental funding for certain of those accounts (Title V).

The President, through the Office of Management and Budget (OMB) is required to submit to Congress, annually, the Budget of the United States Government. On February 7, 2000, the budget for FY2001 was submitted.<sup>1</sup>

Congress has established a procedure by which it passes a concurrent resolution establishing the congressional budget for the government and setting forth budgetary levels for several years in the future.<sup>2</sup> The House and Senate Appropriations Committees then allocate the discretionary funding levels (302(b)) allocations to each of the subcommittees. See the section of this report entitled “Major Funding Trends” for a discussion of the FY2001 allocations for Treasury and General Government appropriations.

Appropriations for the Department of the Treasury, in addition to funding the operations of the department, fund the work of a group of law enforcement organizations, which include the Bureau of Alcohol, Tobacco, and Firearms; the Customs Service; the Secret Service; the Financial Crimes Enforcement Network; and the Federal Law Enforcement Training Center. Treasury appropriations also cover the Internal Revenue Service, the Financial Management Service, and the Bureau of the Public Debt.

For the most part, the U. S. Postal Service has become self-supporting. Federal contributions are limited to payments to the Postal Service Fund to compensate for revenues foregone (*e.g.*, free postal service for the blind.)

Appropriations for the Executive Office of the President provide salaries and expenses for the White House Office, operations of the residences of the President and Vice President, and most other agencies within the Executive Office of the President (EOP). Organizations such as the Council of Economic Advisers, the National Security Council, the Office of Management and Budget, and the Office of National Drug Control Policy (ONDCP) are funded through these provisions. Specific funding for drug control initiatives is appropriated for distribution to other entities by the ONDCP.

Among the independent agencies financed through this appropriation are the Federal Election Commission, the General Services Administration, the National

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<sup>1</sup>U.S. Executive Office of the President, Office of Management and Budget, *Budget of the United States Government, Fiscal Year 2001* (Washington: GPO, 2000). Hereafter referred to as Budget, with specific budget document cited.

<sup>2</sup>H. Con. Res.290, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess. versions, which differed, agreed to by the House Mar. 24, 2000 and by the Senate Apr. 7, 2000. A conference report (H.Rept. 106-577) was agreed to by both chambers Apr. 13, 2000.



Archives and Records Administration, the Office of Personnel Management, the Office of Special Counsel, and the United States Tax Court.

The Treasury and General Government appropriation always has at least two titles in addition to the four covering the funding for specific agencies. These general titles apply restrictions or “rules of the road” governmentwide and, quite often, contain authority for defined actions. For example, each year, there is standard language which prohibits the use of any appropriated funds for the purpose of employing individuals who are not U.S. citizens or citizens of nations either specified in that section of the act or on the State Department list of nations covered by treaties; which requires that all agencies maintain drug-free workplaces; and which authorizes the expenditure of funds appropriated under any act to be used to pay the travel expenses of immediate family members if a federal employee serving overseas has died or has a life-threatening illness. See below for a presentation of new provisions in titles V and VI.

## Rescissions

As part of the Consolidated Appropriations Act of 2001, P.L. 106-554, there will be a .22% across-the-board rescission of FY2001 discretionary budget authority and obligation limitations funds (section 1403, H.R. 4577/H.R. 5666).<sup>3</sup> All accounts in the Treasury and General Government appropriations will be affected. The Office of Management and Budget (OMB) is required to report on the implementation of the rescission when the FY2002 budget is submitted.

On January 5, 2001, the Office of Management Budget issued guidelines to the agencies.<sup>4</sup>

The rescission applies to all net positive discretionary budget authority and obligation limitations. Advance appropriations for FY 2001 provided in FY 2000 or earlier years are subject to the rescission. Advance appropriations provided in FY 2001 appropriations acts for FY 2002 and future years are not subject to the rescission. Discretionary emergency appropriations are subject to the rescission.

The Act requires that the 0.22 percent reduction be applied equally to each program, project, and activity subject to the rescission. "Programs, projects, and activities" (PPA) are defined as that level of appropriations detail specified in the appropriations act or accompanying report for the relevant fiscal year covering each account, including earmarks and directives, or, for accounts and items not included in appropriations acts, as specified in the program and financing schedules in the FY 2001 President's budget.

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<sup>3</sup>See: CRS reports, *The .22 Percent Across-the-Board Cut in FY2001 Appropriations* (RS20758) and *FY2001 Consolidated Appropriations Act: Reference Guide* (RS20756), both by Robert Keith.

<sup>4</sup>U.S. Office of Management and Budget, *Rescission of FY2001 Discretionary Budget Authority*, Bulletin No. 01-03 to the heads of executive departments and agencies, Jan. 5, 2001. <http://www.whitehouse.gov/OMB/bulletins/b01-03.html>

There is no discretion to change the allocation of the rescission among discretionary PPA; each must be reduced by 0.22 percent. The rescission cannot be applied to mandatory PPA, or transfers of mandatory funds to discretionary PPA.

...**Required actions.** Agencies will be separately provided with their rescission amounts by account by their OMB representative. Agencies must allocate the reduction on a pro-rata basis to every program, project, and activity subject to the rescission, without exception.

Please note that the Act requires that all reductions be made from discretionary budget authority and obligation limitations only.

Subsequent to passage of FY2000 Treasury and General Government appropriations,<sup>5</sup> the FY2000 Consolidated Appropriations Act<sup>6</sup> provided for a so-called across-the-board rescission of 0.38%. As part of the FY2001 budget submission, the Office of Management and Budget (OMB) reported specific reductions in the accounts.<sup>7</sup> OMB issued a fact sheet (2000-01-10 OMB Fact Sheet, January 10, 2000) in which the administration stated that the law stipulated that 0.38% in savings was to be realized by each and every department. However, within each department, it provided latitude to protect high-priority programs as long as the dollar figure amounting to 0.38% was achieved and certain other conditions were met. The FY2001 rescission provisions specifically exempts certain programs, none in the accounts discussed in this report, but otherwise is to be universally applied.

The FY2001 Military Construction Appropriations Act is the vehicle for the FY2000 Supplemental funding provisions.<sup>8</sup> Some of the accounts covered by the Treasury/Postal Service measure are affected by that language. For example, section 6 provides that the pay date for federal civilian personnel which had been pushed into FY2001, will revert to the original scheduled date in FY2000. That will alter the “enacted” funding level for FY2000. When the term “net,” is used in this report, it means the FY2000 appropriated levels reduced by the rescinded amount as reported by OMB and the supplemental.

Table 4 is designed to provide summary information for FY2000 enacted funding, for House and Senate reported or passed funding, and for FY2001 enacted, as appropriate. Although not all accounts are represented, those with significant funding levels or subject to critical discussion can be found in the table. The FY2000 enacted levels reflect the application of the rescissions and the supplemental.

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<sup>5</sup>P.L. 106-58; Sept. 29, 1999; 113 Stat. 430.

<sup>6</sup>P.L. 106-113, section 1000(a)(5), section 301; Nov. 29, 1999. For a guide to that statute, see CRS Report RS20403, *FY2000 Consolidated Appropriations Act: Reference Guide*, by Robert Keith.

<sup>7</sup>Budget, *Analytical Perspectives*, p. 393.

<sup>8</sup>P.L. 106-246; July 13, 2000; H.R. 4425/S. 2521.

The funding levels in the tables in this report are provided by the House Appropriations Committee. The funding levels in the text are, unless otherwise noted, also provided by the House committee. The Senate documentation is noted if there are differences between the two versions. Also, in some instances, the account totals may differ between the budget, as submitted by the President, and the requested funding levels calculated by the House and Senate committees. Any significant differences will be discussed in the text. The committee data are more current, and represent the amounts used by Members in considering various funding alternatives.

The Budget documents provided by the Office of Management and Budget and the appropriations bills do not necessarily follow the same organization of accounts. For example, not all of the agencies which are organizationally within the Executive Office of the President, as found in the budget, are funded through the Treasury, Postal Service, and General Government appropriations legislation. Also, the FY2001 and FY2000 individual account data in this report do not reflect scorekeeping by the Congressional Budget Office.

See the glossary for definitions of discretionary and mandatory spending. In some instances, the mandatory levels drive up the percent of increase represented in the appropriation. The appropriators are bound by those entitlements under permanent law and control only the discretionary spending levels. The data in the tables and the funding levels provided in the text, unless otherwise noted, reflect the mandatory and discretionary funding combined.

**FTE**, or full-time equivalent, is a budgetary term and does not represent the number of personnel employed by, or the number of actual positions allowed in, a department or agency. The FTE number is calculated by dividing the total number of staff hours worked in a given 12-month period (usually the fiscal year) by the total number of hours in a workyear (2087). The number of on-board personnel at any given time and the total number of people working in the organization during the course of the year are two entirely different statistical results. Seasonal employment and part-time employment are two factors which serve to make the FTE and actual employment figures differ.

## Status and Legislative History

In addition to the 21 FY2001 continuing funding resolutions,<sup>9</sup> there were four legislative measures designed to provide appropriations for all the Treasury and General Government accounts and one to provide partial funding for selected accounts.

In summary, H. R. 4871 passed the House and the Senate had begun debate; S. 2900 was reported by the Senate Committee on Appropriations; H.R. 4985 was included as a section in Division B of the Legislative Branch appropriations (H.R.

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<sup>9</sup>P.L. 106-275 (Sept. 29, 2000; 114 Stat. 808), as amended.

4516) conference agreement, which was vetoed (October 30); P.L. 106-346 (H.R. 4475), Title V of which partially funds selected Treasury and General Government accounts and includes some of the general provisions from other versions; and P.L. 106-554 (H.R. 4577) through which FY2001 Treasury and General Government Appropriations Act (H.R. 5658) is enacted.

**The House Bill.** The House Committee on Appropriations Subcommittee on Treasury, Postal Service, and General Government held 10 days of hearings during March and April 2000. The Subcommittee markup was July 11, with the full Appropriations Committee reporting H.R. 4871 on July 18, H.Rept. 106-756.<sup>10</sup> The bill was approved in committee through a voice vote.

The House passed H.R. 4871, amended, July 20, 2000, by a vote of 216-202.<sup>11</sup> H.R. 4871 was considered under an open rule, H. Res. 560.<sup>12</sup>

**The Senate Bill.** The Senate Committee on Appropriations Subcommittee on Treasury, Postal Service, and General Government held five days of hearings during February, March, and April. The subcommittee sent the bill to the full Appropriations Committee on July 19. The full committee ordered S. 2900 to be reported on July 20.<sup>13</sup> On July 24, 2000, the Senate Majority Leader requested that a cloture motion be filed against H.R. 4871, Treasury, Postal Service, and General Government appropriations bill.<sup>14</sup> On July 26, cloture was invoked by a vote of 97-0 (Rollcall Vote No. 277) and the Senate began consideration of the measure.<sup>15</sup> Debate on H.R. 4871 was pending at the time the Senate adjourned, July 27, for the August recess/work period.

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<sup>10</sup>U.S. Congress, House Committee on Appropriations, *Treasury, Postal Service, and General Government Appropriations Bill, 2001*, report to accompany H.R. 4871, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess., H.Rept. 106-756 (Washington: GPO, 2000), p. 75. (Hereafter referred to as H.Rept. 106-756.)

<sup>11</sup>Treasury and General Government Appropriations Act, 2001, *Congressional Record*, vol. 146, July 20, 2000, p. H6622-6710.

<sup>12</sup>Providing for Consideration of H.R. 4871, Treasury and General Government Appropriations Act, 2001, *Congressional Record*, vol. 146, July 20, 2000, p. H6618-6622. See also: U.S. Congress, House Committee on Rules, *Providing for the Consideration of H.R. 4871, The Treasury and General Government Appropriations Act, 2001*, report to accompany H. Res. 560, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess., H.Rept. 106-767 (Washington: GPO, 2000).

<sup>13</sup>Until Oct. 12, there was no written report on S. 2900. See: U.S. Congress, Senate Committee on Appropriations, *Treasury and General Government Appropriation Bill, 2001*, report to accompany S. 2900, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess., S.Rept. 106-500 (Washington: GPO, 2000)

<sup>14</sup>Treasury and General Government Appropriations Act, 2001—Motion to Proceed, *Congressional Record*, vol. 146, July 24, 2000, p. S7468-69.

<sup>15</sup>Treasury and General Government Appropriations Act, 2001—Motion to Proceed—Resumed, *Congressional Record*, daily edition, vol. 146, July 26, 2000, p. S7590-7619, S7624-29.

**Legislative Branch Appropriation.** On July 26, 2000, Treasury Appropriations Subcommittee Chairman, Jim Kolbe, introduced H.R. 4985, “Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2001, and for other purposes.”<sup>16</sup> That same day, the conference report to accompany the Legislative Branch FY2001 appropriations bill (H.R. 4516, H.Rept. 106-796) was filed.<sup>17</sup> On July 27, 2000, H.Rept. 106-797 was filed, to accompany H. Res. 565, waiving points of order against the conference report to accompany H.R. 4516.<sup>18</sup> The House agreed to the rule, subsequent to debate, by a recorded vote of 214 ayes to 210 noes, with one voting “present” (Roll No. 448).<sup>19</sup> Prior to adjourning, for the August recess/work period, there was no further debate on the issue.

On September 14, 2000, the House agreed to the conference report for H.R. 4516 (FY2001 legislative branch funding), which included funding for the Treasury and General Government accounts.<sup>20</sup> The House vote (Roll No. 476) was 212 yeas to 209 nays, with 13 not voting.<sup>21</sup> On September 20, the Senate rejected the conference report, by a vote of 28 to 69 (Vote No. 253).<sup>22</sup> On October 12, the Senate agreed to the conference report by a vote of 58 to 37 (Vote No. 273).<sup>23</sup> The bill was presented to the President October 18 and subsequently vetoed by him on October 30. The House agreed, by voice vote, to recommit the bill and veto message to the House Committee on Appropriations October 31.<sup>24</sup>

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<sup>16</sup>*Congressional Record*, daily edition, vol. 146, July 26, 2000, p. H7128.

<sup>17</sup>Conference Report on H.R. 4516, Legislative Branch Appropriations Act, 2001, *Congressional Record*, daily edition, vol. 146, July 26, 2000, pp. H7095-H7126. The conference report (H.Rept. 106-796) is divided into two parts. Division A is the text of the Legislative Branch bill, as reported out of conference, and the accompanying explanations (pp. H7095-H7107). Division B, Section 1001 is the text of the Treasury bill, H.R. 4985, as introduced, and the accompanying explanations (H7107-H7126). Section 1003 of Division B is the repeal of the telephone excise tax.

<sup>18</sup>*Congressional Record*, daily edition, vol. 146, July 27, 2000, p. H7131.

<sup>19</sup>Waiving Points of Order Against Conference Report on H.R. 4516, Legislative Branch Appropriations Act, 2001, *Congressional Record*, daily edition, vol. 146, July 27, 2000, pp. H7143-H7152.

<sup>20</sup>Conference Report on H.R. 4516, Legislative Branch Appropriations Act, 2001, *Congressional Record*, vol. 146, Jan. 14, 2000, p. H7608-7626. Chart showing Treasury and General Government accounts in detail appears on H7609-7611.

<sup>21</sup>Note: The Daily Digest shows the vote as Roll No. 477, however the body of the *Congressional Record* (p. H7626) shows it as Roll No. 476.

<sup>22</sup>Legislative Branch Appropriations Act, 2001—Conference Report, *Congressional Record*, vol. 146, Jan. 20, 2000, p. S8788-8800.

<sup>23</sup>Legislative Branch Appropriations Act, 2001—Conference Report, *Congressional Record*, vol. 146, Oct. 12, 2000, p. S10333.

<sup>24</sup>Legislative Branch Appropriations, 2001, *Congressional Record*, vol. 146, Oct. 31, 2000, consideration: pp. H1165-H11681; text of veto message: p. H11675.

**FY2001 Continuing Funding Resolution.** Most of the accounts were being funded, at FY2000 levels, through the series of continuing funding resolutions.<sup>25</sup> Those accounts which are new for FY2001 had no funding during the period October 1 through December 21, 2000. The exception is the General Services Administration account through which the presidential transition is administered. It was funded through a further continuing resolution (P.L. 106-426, November 3, 2000). Although no additional funding was involved, the White House was authorized to use funds for the preparations involved in the transfer of families during the transition. That authorization came through the 16<sup>th</sup> continuing funding resolution, P.L. 106-520 (November 15, 2000).

**Transportation Appropriations.** On October 5, the conference committee for the Transportation FY2001 appropriation, H.R. 4475 came to agreement and filed a report.<sup>26</sup> Title V of the conference agreement contains partial funding provisions for some of the accounts usually funded within the Treasury and General Government appropriation, as well as some related general provisions. On October 6, both the House and Senate agreed to the conference language.<sup>27</sup> P.L. 106-346 was signed by the President October 23, 2000.

**The Act.** P.L. 106-554<sup>28</sup> enacts, through reference, H.R. 5658, the Treasury and General Government Appropriations, FY 2001. P.L. 106-554 is a two-page statute which acts as a Consolidated Appropriation and enacts several funding and legislative bills through reference. H.R. 5658 was introduced December 14, 2000 as a new bill, with funding levels identical to those in H.R. 4985. The conference report for H.R. 4577 contains the legislative text and explanatory remarks for H.R. 5658.<sup>29</sup>

Table 1 shows the status of each of the bills which would affect the accounts.

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<sup>25</sup>P.L. 106-275, as amended and extended, by Public Laws 106-282, -306, -344, -358, -359, -381, -388, -389, -401, -403, -416, -426, -427, -428, -520, -537, -540, -542, and -543.

<sup>26</sup>Conference Report on H.R. 4475, Department of Transportation and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146, [text of H. Rept. 106-940], Oct. 5, 2000, p. H8922-H9004. See pp. H8934-H8937 for Title V (Treasury/General Government provisions) text and pp. H8978-H8980 for corresponding explanatory remarks.

<sup>27</sup>Waiving Points of Order Against Conference Report on H.R. 4475, Department of Transportation and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146, [Consideration and vote on H.Res. 612, the rule on H.R. 4475], Oct. 6, 2000, p. H9014-H9018. Conference Report on H.R. 4475, Department of Transportation and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146 [Consideration and vote in the House], Oct. 6, 2000, pp. H9018-H9028. Department of Transportation and Related Agencies Appropriations Act, 2001—Conference Report, *Congressional Record*, vol. 146, [Consideration and vote in the Senate], Oct. 6, 2000, pp. S10052-S10059.

<sup>28</sup>P.L. 106-554, section 1(a)(3) (H.R. 4577); Dec. 21, 2000; 114 Stat. 2763.

<sup>29</sup>Conference Report on H.R. 4577, Departments of Labor, Health and Human Services and Education, and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146, Dec. 15, 2000, p. H12100, see pp. H12230-H12258 for Treasury and General Government..

**Table 1. Status of FY2001 Appropriations for the Treasury, Postal Service, Executive Office of the President, and General Government**

(See Table 4 for breakdown of accounts within bills.)

Subcommittee Markup		House Report	House Passage	Senate Report	Senate Passage	Conf. Report	Conference Report Approval		Public Law
House	Senate						House	Senate	
H.R. 4871, Treasury and General Government FY2001 Appropriation									
July 11	July 19	July 18 H.R. 4871 H.Rept. 106-756	July 20 H.R. 4871 vote: 216-202	--	--	--	--	--	--
S. 2900, Treasury and General Government FY2001 Appropriation									
--	--	--	--	July 19 S.Rept.106- 500 Oct. 12	--	--	--	--	--
H.R. 4516, Legislative Branch FY2001 Appropriation; Division B, section 1002: H.R. 4985, Treasury and General Government FY2001 Appropriation									
--	--	--	--	--	--	July 26 H.Rept. 106-796	Adopted Sept. 14 vote: 212-209	Rejected Sept. 20 69-28 Adopted Oct. 12 vote: 58-37	Vetoed October 30
H.R. 4475, Department of Transportation FY2001 Appropriation, Title V: selected Treasury and General Government accounts and provisions									
--	--	--	--	--	--	Oct. 5 H.Rept. 106-940	Adopted Oct. 6 vote: 344-50	Adopted Oct. 6 vote: 78-10	P.L. 106-346 Oct. 23
H.R. 4577, Consolidated Appropriations Act, 2001 Section 1(a)(3), by reference: H.R. 5658, Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 2001, and for other purposes.									
						H.Rept. 106-1033	Adopted Dec. 15 vote: 292-60	Adopted Dec. 15 voice/UC	P. L. 106-554 Dec. 21

# **Treasury and General Government Appropriations, 2001 (Public Law 106-554)**

## **Budget and Key Policy Issues**

### **Department of the Treasury**

The Department of the Treasury has both financial and law enforcement functions. The financial functions are carried out by the Financial Management Service; the Mint; and the Bureau of Public Debt. The law enforcement functions are carried out by the Customs Service; the Secret Service; the Bureau of Alcohol, Tobacco and Firearms (ATF); the Financial Crimes Enforcement Network; and the Federal Law Enforcement Training Center. The Internal Revenue Service has both a financial function—to determine and audit tax obligations—and a law enforcement function—to enforce collection of tax revenue.

The single largest account within the Department of Treasury appropriation is that for the Internal Revenue Service (IRS). The department's FY2000 net funding was \$12.352 billion, with the IRS funded at \$8.217 billion, or 66.7% of the total. P.L. 106-554 funds the department at \$13.598 billion. The IRS is funded at \$8.639 billion, or 63% of the departmental total. Combined with the funding in P.L. 106-346, the total Department of Treasury enacted FY2001 funding is \$13.89 billion, with \$8.86 billion for the IRS. If the .22% rescission is applied to all accounts, the departmental reduction will equal approximately \$30 million.

The FY2001 budget request is \$14.520 for the department. The request would more than double the account for department-wide systems and capital investments, add funding for the Money Laundering Strategy; increase interagency crime and drug enforcement by 40%; eliminate funding for the Violent Crime Reduction Program as previously defined; and increase Secret Service, ATF, and Customs Service funding. The increase for the IRS would be just under 10%.

Five FY2001 key priorities are identified in the department's budget justification:

- Support continued IRS reform;
- Strengthen the department's ability to fight drugs and crime;
- Enhance financial reporting and resource accountability;
- Invest in community development and economic growth; and
- Maintain support for management operations.

The House Appropriations committee reported H.R. 4871, providing \$13.225 billion for the department. As passed by the House, H.R. 4871 would reduce the Office of the Treasury Inspector General for Tax Administration by \$950,000 in order to fund a pilot project to check for radioactive materials in scrap metal imported into the United States. It also would offset an additional \$25 million for the High Intensity Drug Trafficking Areas program by reducing the IRS Processing Assistance and Management Account. S. 2900, as reported by the Senate Committee on Appropriations, would have provided a total of \$13.161 billion for the department. Under the vetoed Legislative Branch conference agreement, H.R. 4516/H.R. 4985



would have funded the Department at \$13.598 billion. The IRS would be funded at \$8.639 billion, or 63% of the departmental total.

Several Department of Treasury accounts have been provided with additional funding through the Department of Transportation funding bill (P.L. 106-346). Those accounts include:

- Departmental Offices, \$6.4 million to establish a new interagency National Terrorist Asset Tracking Center, to fund detailees to the Center, and to increase staff in the Office of Foreign Assets Control. The Department is directed take action toward establishing a centralized vehicle acquisition program before further funding is provided.
- Department-wide systems and capital investments programs, an additional \$15 million for the Integrated Treasury (Wireless Network).
- Expanded Access to Financial Services, an additional \$8 million.
- Federal Law Enforcement, Salaries and Expenses, an additional \$5 million to establish and operate a metropolitan area law enforcement training center to be accessible by the Treasury Department, other federal agencies, the United States Capitol Police, and the Washington, D.C. Metropolitan Police Department.
- Federal Law Enforcement, Acquisition, Construction, Improvements and Related Expenses, \$25 million for the design and construction of a metropolitan area law enforcement training center.
- Bureau of Alcohol, Tobacco, and Firearms, see discussion below.
- U.S. Customs Service (salaries and expenses), see discussion below.
- Internal Revenue Service (three accounts—tax law enforcement, information technology investments, and staffing tax administration for balance and equity), see discussion below.
- U.S. Secret Service (salaries and expenses), see discussion below.

**Bureau of Alcohol, Tobacco, and Firearms (ATF).** The ATF is a law enforcement agency that regulates the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. The ATF also enforces federal laws related to arson. ATF's mission is focused on three goals: 1) reducing crime, 2) collecting revenue, and 3) protecting the public. In FY1999, ATF collected \$12,135,929,000 in taxes, penalties, fines, and other related revenues. From FY1992 to FY2000, Congress increased ATF's direct appropriations from \$336,040,000 to \$604,573,000,<sup>30</sup> an 80% increase.

For FY2001, Congress has appropriated \$772,843,000 in direct funding for ATF, a 28% increase over the agency's FY2000 appropriation and \$12,792,000 more than the administration's FY2001 request. For the salaries and expenses account, Congress provided \$768,695,000 in P.L. 106-554. For counter-terrorism, Congress also provided ATF with \$4,148,000 in P.L. 106-346. With the exception of \$5,521,000 for the tobacco compliance initiative, Congress fully funded the administration's FY2001 request for ATF.

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<sup>30</sup>In the FY2000 Treasury-Postal appropriations act (P.L. 106-58), Congress provided ATF with \$604,573,000 (this amount includes a transfer from the Violent Crime Reduction Trust Fund of \$40,920,000 and reflects a rescission of \$2,306,000).

Like the enacted FY2001 measure, the vetoed Legislative Branch conference agreement (H.R. 4516/H.R. 4985), would have provided the ATF with \$768,695,000. By comparison, the House bill (H.R. 4871) would have provided ATF with \$731,325,000, while the Senate version (S. 2900) would have provided \$724,937,000.

The administration's FY2001 request included \$105,298,000 in program budget increases to expand ongoing initiatives, such as the Integrated Violence Reduction Strategy (\$41,322,000), the Youth Crime Gun Interdiction Initiative (\$19,078,000), expanded gun tracing (\$9,990,000), enhanced ballistic imaging (\$23,361,000), tobacco compliance (\$5,521,000), and the national laboratory center transition (\$6,026,000). In addition, the administration also requested funding to relocate the ATF headquarters (\$7,290,000).

To expand the Integrated Violence Reduction Strategy (IVRS) in FY2001, Congress provided an additional \$41,322,000 to fund 224 agents, 112 inspectors, and 59 support staff. This increase will bring total funding for IVRS to \$62,200,000. With these additional resources, ATF reported in its FY2001 budget submission that the agency would:

- intensify local firearm initiatives, like Boston's Ceasefire and Richmond's Project Exile;
- review all Federal Bureau of Investigation (FBI) referrals where Brady law background checks indicate that a prohibited person received firearms as result of a delayed denial;
- investigate cases where intelligence data indicate that prohibited persons are engaging in multiple attempts to purchase firearms from different federal firearm licensees;
- investigate cases where prohibited persons with a history of violent crime are known to have acquired firearms through legitimate or illegal markets; and
- review the records of federal firearm licensees to ensure that instant checks are being performed on all firearm transfers and that required records are being maintained.

To expand the Youth Crime Gun Interdiction Initiative (YCGII) to 12 additional cities in FY2001, Congress has provided ATF with \$19,078,000 to hire 72 agents and 98 inspectors. This increase will bring total funding for this program to \$76,400,000 and expand its presence to 50 cities. The objective of the YCGII is to reduce youth firearm violence and firearms trafficking among youth by making federal resources like ATF's firearms tracing and ballistics technology available to state and local law enforcement agencies, and by providing coordination of these efforts. In addition, Congress also provided \$16 million for the Gang Resistance Education and Training (GREAT) program, under which ATF agents and uniformed police officers teach an anti-violence curriculum to fourth and seventh graders.

To continue the Comprehensive Crime Gun Tracing Initiative in FY2001, Congress provided ATF with \$9,990,000 and 20 additional positions. This increase brings total funding for this initiative to \$25,000,000. This initiative provides nationwide, comprehensive tracing capability for state and local law enforcement.

The added resources will provide for faster trace results and indexing of gun identification information from business records.

For the Expanded Ballistics Identification Initiative, Congress has provided \$23,361,000 and 20 additional positions. This increase will bring total funding for this initiative to \$26,400,000. On December 2, 1999, the ATF and FBI signed a memorandum of understanding that will provide for the further development of the Integrated Ballistics Identification System (IBIS) as the federal system that will compare images of ballistic evidence (projectiles and cartridge casings). From 1993 to 1997, the ATF and FBI operated two parallel, but incompatible, systems.

Congress also provided funding for the national laboratory transition and the relocation of the ATF headquarters, but it did not fund the Administration's request for the Tobacco Compliance/Diversion initiative of \$5,521,000 and 88 additional positions. According to ATF, this increase was needed to monitor new permit and revenue requirements for importers of tobacco products that were enacted as part of the Balanced Budget Act of 1997.

Among ATF's activities, the regulation and enforcement of laws related to firearms commerce and possession have been the most controversial. Both the House and the Senate bills included language that would prohibit the Department of the Treasury from giving preferences regarding the acquisition of firearms to any manufacturer or vendor that enters into agreements with any federal department or agency that set out codes of conduct, operating practices, product design specifications, and other requirements related to the importation, manufacture, or dealing in firearms that are greater than what is currently required under federal statute. The Smith & Wesson Corporation entered into such an agreement with the Department of Housing and Urban Development (HUD). Shortly thereafter, HUD announced that 411 governments around the nation had joined the Communities for Safer Guns Coalition, and had pledged to give preferences to manufacturers who enter into agreements similar to the one with Smith & Wesson. This language, however, was dropped from the Legislative Branch conference agreement, nor was it included in the enacted Labor-HHS appropriations act. (For further information on gun control-related legislation and issues, see CRS Issue Brief IB10014, *Gun Control Legislation in the 106<sup>th</sup> Congress*.)

**Customs Service.** The U.S. Customs Service, the federal government's oldest revenue collecting agency, is responsible for regulating the movement of persons, carriers, merchandise, and commodities between the United States and other countries. In FY1999, Customs collected \$22,405,800,000 in trade-related duties, taxes, and fees. From FY1992 to FY2000, Congress has increased direct appropriations for the U.S. Customs Service from \$1,454,337,000 to \$1,935,915,000<sup>31</sup>, a 33% increase. In addition to appropriated funding, the Customs

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<sup>31</sup>In the FY2000 Treasury-Postal appropriations act (P.L. 106-58), Congress provided the Customs Service with \$1,759,227,000 (this amount includes a transfer of \$61,000,000 for the Violent Crime Reduction Trust Fund and reflects a rescission of \$7,137,000). For the air and marine interdiction account, Congress provided \$108,688,000. Furthermore, the FY2000

Service collects COBRA fee receipts that are available to the agency for expenditure (\$299,000,000 in FY2000).

For FY2001, Congress has appropriated \$2,281,327,000 in direct funding for Customs. This amount represents an 18% increase over the agency's FY2000 appropriation. For the salaries and expenses account, Congress provided \$1,863,765,000 P.L. 106-554. For counter-terrorism in FY2001, Congress provided an additional \$18,934,000 in P.L. 106-346. These amounts together are \$5,167,000 less than the Administration's request. Also, included in the FY2001 Customs appropriation are monies provided in other accounts and a line item in P.L. 106-554. For the air and marine interdiction account for FY2001, Congress provided \$133,228,000. Under another line item, Congress provided an additional \$7,000,000 for the air and marine interdiction account. These amounts together are \$16,647,000 less than the Administration's request. In lieu of a new fee proposed by the Administration, Congress provided \$258,400,000 for the modernization of Customs' automated systems. This amount is nearly \$80,000,000 less than the offsetting fee receipts projected by the Administration. Also appropriated for obligation, but not included in the total appropriation cited above, are \$3,000,000 in offsetting fee receipts in the harbor maintenance fee account.

Like P.L. 106-554, the vetoed Legislative Branch appropriations (H.R. 4516/H.R. 4985) conference agreement would have provided Customs with \$1,863,725,000. The House bill (H.R. 4871) would have provided Customs with \$1,822,365,000, while the Senate bill (S. 2900) would have provided \$1,804,687,000. For the air and marine interdiction account, the Legislative Branch measure would have provided Customs with \$133,228,000. The House bill would have provided \$125,778,000, while the Senate Appropriations Committee recommended \$128,228,000.

The Administration's FY2001 budget request for Customs' salaries and expenses account included \$41,517,000 in program budget enhancements. These enhancements included: (1) \$25,000,000 for the drug investigations initiative, (2) \$10,000,000 for the narcotics illicit proceeds strategy initiative, (3) \$5,000,000 for the forced child labor initiative, and (4) \$1,517,000 for Customs' airborne support for the United States Secret Service. The remaining \$119,188,000 in increased funding for the salaries and expenses account was requested for various budget adjustments that, according to the Administration, would allow Customs to maintain current levels of service associated with various FY1999 and FY2000 budget increases.

Regarding these initiatives, the vetoed conference agreement included earmarks in report language (H.Rept. 106-796) of \$13,700,000 for the Southwest border initiative, \$10,000,000 for security enhancement on the northern border, \$11,000,000 for vehicle replacement, \$3,700,000 for money laundering, \$9,500,000 for drug investigations, and an additional \$5,000,000 for the forced child labor initiative. By comparison, report language accompanying the House bill (H.R. 4871) earmarked

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<sup>31</sup>(...continued)

supplemental appropriations act (P.L. 106-246) provided an additional \$68,000,000 to upgrade P-3 aircraft radar systems to enhance the agency's drug interdiction efforts.

increases of \$9,500,000 for the drug investigations initiative and \$2,000,000 for the forced child labor initiative.

In recent years, Customs' Automated Commercial System (ACS), the system Customs uses to track, control, and process all commercial goods imported into the United States, has proven inadequate and has suffered from "brownouts" that inhibit international commerce. Earlier in the year, GAO testified that the current import processes handled by ACS are "paper-intensive, error-prone, and transaction based, and out of step with just-in-time inventory practices of the trade community."<sup>32</sup> Since 1994, Congress appropriated large infusions of funding for Customs to upgrade ACS and continue development of its replacement, the Automated Commercial Environment (ACE), but Customs has struggled with the upkeep of ACS and the development of ACE. In the FY2000 conference report, Congress directed Customs to provide a revised blueprint, schedule, and budget for ACE. This report was delivered to the Appropriations committees, but late in the fiscal year.

For FY2001, the Administration's request included a new Customs budget account for automation modernization, for which the administration requested \$338 million. To offset the ACE developmental costs, the Administration requested authorization for a new user fee that was similar to a fee proposal rejected by Congress in the FY2000 appropriations cycle. Of this amount, \$123 million was requested for the continued operation and maintenance of ACS, \$5 million for the International Trade Data System (ITDS), and \$210 million for the development of ACE. Once again, Congress rejected the fee proposal. Instead, Congress provided over \$258 million in a direct appropriation, which includes \$5 million to continue the development of the ITDS and at least \$130 million to continue the development of ACE. It was reported in *Government Executive* magazine that the development, operation, and maintenance of ACE over 7 years will cost between \$1.4 and \$1.8 billion, and that Customs would begin taking bids to develop the new system in FY2001.<sup>33</sup>

GAO has also testified that Customs had taken deliberate steps to implement recommendations made in previous audits by reducing duplication of effort, developing an enterprise systems architecture, and improving acquisition and investment management. GAO cautioned, however, that the development of ACE is a complex and high-risk endeavor that supports the agency's ability to collect billions of dollars in revenue generated by imports.

In addition to appropriated funding, Customs generates offsetting receipts from two user fee programs. The first fee program consists of seven conveyance- and passenger-related user fees established by the 1985 Consolidated Omnibus Budget Reconciliation Act (COBRA) and the user fee for processing bulk cargo from Mexico

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<sup>32</sup>U.S. General Accounting Office, Testimony before the House Committee on Government Reform Subcommittee on Government Management, Information and Technology, *U.S. Customs Service: Observations on Selected Operations and Program Issues*, T-GGD/AIMD-00-150 (Washington, Apr. 20, 2000), p. 7.

<sup>33</sup>Joshua Dean, "Funding Battles Delay Customs Modernization Project," *Government Executive Daily Briefing*, (Washington, Dec. 1, 2000), at [<http://www.govexec.com/>].

and Canada established by the 1986 Tax Reform Act. The second fee program consists of the commerce-related merchandise processing fee (MPF) established by the 1986 Omnibus Budget Reconciliation Act (OBRA). Customs generally has no control over the allocation of MPF fee receipts. COBRA fee receipts, on the other hand, are not appropriated for obligation by Congress, and they account for a substantial portion of funding available to Customs for expenditure each year. From FY1992 to FY2000, COBRA fee receipts have increased from about \$176,000,000 to \$299,000,000.

There are codified limitations on the use of COBRA fee receipts, and initially they were used principally to pay overtime costs for inspectors and canine enforcement officers. Surplus revenues could be and were carried over from one year to the next. Such carryover could be, and is, used to fund recurring costs in positions and equipment from previous years. As a result, COBRA fee receipts have funded an increasing share of permanent inspector positions and information technology costs. In recent months, however, there have been reports of a drop-off in air passenger processing fee receipts. Consequently, the growing reliance on COBRA fee receipts to fund base positions in conjunction with a drop-off in receipts may prove problematic in the coming year, as Customs may not have allocated enough to pay overtime for Customs officers. It is also notable that the authorization for the COBRA fees expires at the end of FY2003.

**Internal Revenue Service (IRS).** The FY2001 request for IRS was \$8,986,084,000. The request represented a 9.36% increase over the net funding for FY2000 of \$8,216,489,000. The net funding takes into account the 0.38% rescission in the IRS Processing, Assistance, and Management account required by Congress in the consolidated funding act. The request for that account was 12.78% higher than the net funding for FY2000. The IRS budget increases focus on maintaining current operations and modernization. IRS Commissioner Charles O. Rossotti has testified that the maintenance of operations will require additional staffing for enforcement and customer service. He has explained that refers particularly to the need for a state-of-the-art computer system to replace 1960s era computers.

As passed by the House, H.R. 4871 would have funded the IRS programs at \$8.453 billion. This would represent a net increase of \$236.5 million. There would be \$140 million which would continue to be available for organizational modernization. Prior to passage, amendments were adopted which would reduce funding for the IRS Processing Assistance and Management account by \$25 million (to offset \$25 for the High Intensity Drug Trafficking Areas (HIDTA) program) and funding for the Office of Treasury Inspector General for Tax Administration by \$950,000 (to create a pilot project to check for radioactive materials in scrap metal imported into the United States.)

As reported by the Senate Appropriations Committee (S. 2900), IRS funding would total \$8.535 billion. With the exception of the Earned Income Tax Credit Compliance Initiative account (\$145 million in all versions), the Senate would fund the IRS accounts at levels higher than passed by the House.

P.L. 106-554 funds, with that same exception, the IRS accounts at levels higher than both the House or Senate versions, at a total of \$8.639 billion. Processing,

Assistance and Management received \$3,567.0 million. Tax Law Enforcement is funded at \$3,382.4 million and Information Systems at \$1,545 million. The vetoed conference agreement (H.R. 4516/H.R. 4985), was the same as the final version.

FY2001 IRS funding was a major point of objection as the conference report for the Legislative Branch Appropriations (H.R. 4516/H.R. 4985) was considered in both the House and Senate. Although the White House did not issue a Statement of Policy, there were remarks by executive branch staff and congressional minority leaders that there would be a veto if those accounts, and others, were not funded at a higher level. On October 23, the President signed P.L. 106-346 which contains partial funding for selected accounts in the Treasury/General Government bill. In spite of that accommodation, the President subsequently vetoed the Legislative Branch Appropriations on October 30. The IRS supplemental provisions are as follows:

- Processing, Assistance and Management—IRS is instructed to delay implementing no-cost Internet tax filing service until a report addressing concerns has been submitted to Congress.
- Tax Law Enforcement—\$7.974 million, including \$3.135 for support of the money laundering strategy, and an additional \$4.839 million for 35 agents to participate in Joint Terrorism Task Forces.
- Information Technology Investments—\$71.751 million, subject to conditions.
- Staff Tax Administration for Balance and Equity—\$141million in a new account, subject to approval of a staffing plan by the Department, Office of Management and Budget, and the Committees on Appropriations.

IRS had earlier proposed the establishment of a Staffing Tax Administration for Balance and Equity (STABLE) initiative. The STABLE initiative, which is a collective effort within IRS to improve service to the taxpayers while carrying out statutory mandates, would include staff increases throughout IRS. One of the most significant increases requested is in the Tax Law Enforcement account, an increase of full-time equivalent (FTE) staffing by 158 (41.6%) over the FY1999 actual level. IRS staff have described the initiative as being an organizing plan to ensure that additional staff (new hires) would be placed in IRS where they are most needed—in auditing, enforcement, and customer relations. H.R. 4985 would provide no funding for the STABLE initiative. However, the conferees agreed to fully fund the Tax Law Enforcement account with respect to adjustments required to maintain current levels of service and operational contract support. While higher than both the House and Senate versions, the conference version is lower than the President's request.

**Secret Service.** For FY2001, the President requested \$829.5 million for the Secret Service. Of this total, \$824.5 is for salaries and expenses related to protective functions, research and development, and the purchase of vehicles; and \$5 million for acquisition and construction costs. FY2000 net funding for the Secret Service was \$691.5 million. The rescission was \$738,000 from the acquisition and construction account.

P.L. 106-554 funds the Secret Service salaries and expenses account at \$823.8 million. The acquisitions, construction, improvement, and related expenses account is funded at \$8.941 million. That includes \$3.920 million for security enhancement at the Vice President's residence.

P.L. 106-346 provides supplemental funding of \$2.9 million for the salaries and expenses account. These funds are for 21 agents to participated in Joint Terrorism Task Forces. Section 506 stipulates that \$2 million of the FY2001 Secret Service funding be available, until September 30, 2001, for forensic and related support of investigations of missing and exploited children.

H.R. 4871, as reported by the House Appropriations Committee and as passed by the House, would have funded the agency's salaries and expenses account at \$823.8 million. This total is \$156.5 million above the amount appropriated in FY2000, and \$700,000. below the President's budget request. Of this amount, \$36,266,000 would fund activities previously funded elsewhere. Included would be \$1,767,000 for support of the National Threat Assessment Center, that was not requested in the President's budget request. Also included in H.R. 4871, as passed, was \$24.2 million for additional protective requirements of the Secret Service during the Presidential election and transition period. S. 2900, as reported, would fund the salaries and expenses account at \$778.3 million. The vetoed conference agreement (H.R. 4516/H.R. 4985) on would have funded the account at the same level as H.R. 4871, as passed.

Both the President's request and H.R. 4871 would have funded the Acquisition, Construction, Improvements, and Related Expenses account at \$5 million. The Senate-reported version would have funded it at \$4.3 million. However, H.R. 4516/H.R. 4985 would have funded it at \$8.9 million, providing the requested \$5 million and adding \$3.9 million for security enhancements at the Vice President's residence.

## **U.S. Postal Service**

The U.S. Postal Service (USPS) generates most of the funding through the sale of products and services. It also receives an appropriation from the federal government to pay for revenue foregone on free and reduced rate mail (for the blind and visually impaired and overseas voting). To fund payment to the Postal Service Fund for revenue foregone during FY2001, the President requested \$96.1 million, of which \$67.1 million would not be available until October 1, 2001. P. L. 106-58 provided funding for revenue foregone at \$93.4 million for FY2000, with only \$29 million to be available during FY2000. The FY2000 appropriation, however, was subsequently reduced by .38% (\$380,000) due to the across-the-board cut mandated by the Consolidated Appropriations Act of FY2000. Accordingly, the appropriation for the fiscal year was \$93.1 million

P.L. 106-554 provides FY2001 funding at \$29 million with an advance appropriation of \$67.1 million for FY2002. The rescission of .22% applies only to FY2001 funding. Therefore, funds appropriated in FY2000 for use in FY2001 would be affected. However, the FY2002 advance appropriation in this legislation would be exempt.

H.R. 4871, as reported and passed, would have been in accord with the request, holding \$67.1 million for FY2002. S. 2900, as reported, however, would have funded the Postal Service at a total of \$67.1 million. The vetoed measure would have provided \$96.1 million, as proposed by the House. Of this amount, \$67.1 million



would have been held as an advance appropriations for free and reduced-rate mail and \$29 million would be for reimbursement in FY2001 to the Postal Service for prior year losses.

All versions would continue the general provision requiring the Postal Service to use appropriated funds to make available sufficient funds to cover the employment of guards for all properties and areas owned, occupied, controlled, or in charge of by the agency. The guards would be granted the same powers as those granted special policemen by the Act of June 1, 1948, amended (62. Stat. 281; 20 U.S.C. 318a and 318b), attaching thereto penal consequences under that authority and within the limits provided in the act.

## **Executive Office of the President and Funds Appropriated to the President**

The Treasury and General Government appropriations act funds all but three offices in the Executive Office of the President (EOP). Of the three exceptions, the Council on Environmental Quality (including Office of Environmental Quality) and the Office of Science and Technology are funded under the Veterans Affairs, Housing and Urban Development, and Independent Agencies appropriations act; and the Office of the United States Trade Representative is funded under the Commerce, Justice, State, and the Judiciary and Related Agencies appropriations act.

The President's FY2001 budget proposed an appropriation of \$702,245,000 for the EOP, an 7.3% increase over the \$654,422,000 appropriated in FY2000. Almost 70 % of these appropriations would be for accounts in the Office of National Drug Control Policy, and for Federal Drug Control Programs, and unanticipated needs, and would be transferred to agencies outside of the EOP, and to state and local entities. The FY2001 appropriation request for these "transfer accounts" amounts to \$474,900,000 (67.6%); for FY2000 it amounted to \$441,250,000 (68%).

The specific accounts are discussed below. In those cases in which there are no differences among the proposed and enacted funding levels, the enacted level is given. The .22% rescission is not factored into the funding data provided below. However, it will likely be applied to each account.

**Compensation of the President.** P.L. 106-554 provides an appropriation of \$390,000 for compensation of the President, including an expense allowance of \$50,000. This amount is a 56% increase over the \$250,000 appropriated in FY2000. The increase is due to the raise in presidential salary from \$200,000 to \$400,000 per year, effective January 20, 2001.

**White House Office.** P.L. 106-554 was in accord with the FY2001 budget proposal of an appropriation of \$53,288,000 for salaries and expenses in the White House Office, an increase of 2% over the \$52,443,000 appropriated in FY2000, of which \$201,000 was subsequently rescinded. H.R. 4871 would have provided \$52,135,000, which is \$1,153,000 below the President's request. The House denied the requests to restore the \$201,000 rescinded in FY 2000, \$450,000 for anticipated severance payments, \$500,000 for costs associated with replacing equipment during

the transition, and \$2,000 in unspecified increases for other services. The House also assumed a transfer of \$500,000 to the Office of Administration for costs associated with upgrading the web page of the Executive Office of the President. S. 2900, as reported, and H.R. 4516/H.R. 4985, as vetoed, would fund the White House Office at the requested level.

**Executive Residence (White House).** The Act provided the requested appropriation of \$10,900,000 for operating expenses, an 17.7% increase over the \$9,258,000 appropriated in FY2000, from which \$33,000 was subsequently rescinded. While the appropriation for repairs and restoration is \$968,000, the request had been \$5,510,000, an 581.2% increase over the \$808,000 appropriated in FY2000. H.R. 4871 would have appropriated \$10,286,470 for operating expenses, and would have denied several requests, including \$300,050 for an additional 4 FTEs; and \$658,000 for repairs and restoration. The House Appropriation Committee recommended denying \$4,542,000 for renovation and replacement of the concrete raceway containing communication lines, while expressing concern over the total estimated costs of the project. S. 2900, as reported, and H.R. 4516/H.R. 4985, as vetoed, would have funded the accounts at the requested level, but the latter would limit the repairs and restoration account to \$968,000.

The repairs and restoration funding includes \$458,000 for design and replacement of the existing the concrete raceway containing voice and communications lines serving the East Wing and the Executive Residence. A completed design, including an estimate of total construction costs associated with the project, must be submitted to the Committees on Appropriations.

The FY2001 continuing funding resolution (P.L. 106-275, as amended by P.L. 106-520) the Executive Residence at the White House “is authorized to make expenditures to provide for the orderly transition and moving expenses following the election on November 7, 2000.” House Appropriations Committee Chairman C.W. Bill Young stated that this would provide “approximately \$200,000...that were contained in the vetoed Treasury, Postal Service, General Government appropriations act.”<sup>34</sup>

Maintenance and repair costs for the White House are also funded by the National Park Service as part of that agency’s responsibility for national monuments. Entertainment costs for state functions are funded by the Department of State. Reimbursable political events in the Executive Residence are to be paid for in advance by the sponsor, and all such advance payments are to be credited to a Reimbursable Expenses account. The political party of the President is to deposit \$25,000 to be available for expenses relating to reimbursable political events during the fiscal year. The Act requires those reimbursements be separately accounted for and the sponsoring organizations be billed, and charged interested, as appropriate. The staff of the Executive Residence is to report to the Committees on Appropriations, after the close of each fiscal year and maintain a tracking system related to the reimbursable expenses.

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<sup>34</sup>Further Continuing Appropriations, Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 13, 2000, p. H11850.

**Special Assistance to the President (Office of the Vice President) and Official Residence of the Vice President.** The Act, as proposed in the budget, appropriates \$3,673,000 for salaries and expenses, an increase of 1.5% over the \$3,609,000 appropriated in FY2000, and \$354,000 for the Official Residence of the Vice President, a 2.6% increase over the \$345,000 appropriated in FY2000, from which \$15,000 was rescinded. The House would have appropriated \$3,664,000 for salaries and expenses, and \$354,000 for operating expenses. S. 2900, as reported, would have funded the accounts at the requested level, and H.R. 4516/H.R. 4985, as vetoed, would have funded the salaries and expenses and the operating expenses accounts at the requested level.

**Council of Economic Advisers.** P.L. 106-554 appropriates \$4,110,000, an increase of 7% over the \$3,840,000 appropriated in FY2000; of which \$15,000 was subsequently rescinded. The House approved an appropriation of \$3,997,000, denying the request of \$106,000 for two additional FTE and \$7,000 for increased travel expenses. Both S. 2900, as reported, and H.R. 4516/H.R. 4985, as vetoed, would have funded the account at the requested level.

**Office of Policy Development.** As the FY2001 budget proposed, P.L. 106-554 appropriates \$4,032,000, the same as appropriated in FY2000; \$15,000 was rescinded from the FY2000 appropriation. The House approved an appropriation of \$4,030,000, denying the request of \$2,000 for increased travel expenses. Both S. 2900, as reported, and H.R. 4516/H.R. 4985, as vetoed, would have funded the account at the requested level.

**National Security Council.** The FY2001 budget proposed and P.L. 106-554 appropriated, \$7,165,000, an increase of 2.4% over the \$6,997,000 appropriated in FY2000, of which \$27,000 was rescinded. The House approved an appropriation of \$7,148,000, denying the request of \$17,000 to partially restore the \$27,000 rescinded in FY2000. Both S. 2900, as reported, and H.R. 4516/H.R. 4985, as vetoed, would have funded the account at the requested level.

**Office of Administration.** The FY2001 budget proposed and the Act appropriated \$43,737,000, an increase of 11.6% over the \$39,198,000 appropriated in FY2000, of which \$148,000 was rescinded. The House approved an appropriation of \$41,185,000, denying several funding requests, including \$406,000 and five FTE for additional information technology staff, \$360,000 in new money for upgrading the EOP web page, \$660,000 and five FTE for implementation of the Chief Financial Officers Act. While the House also would have delayed the implementation of the Chief Financial Officers Act from January 20, 2001 to May 1, 2001, the Act dropped that proposal. Both S. 2900, as reported, and the H.R. 4516/H.R. 4985, as vetoed, would fund the account at the requested level.

**Office of Management and Budget.** The Act fully funded the FY2001 budget request at \$68,786,000, an increase of 8.3% over the \$63,495,000 appropriated in FY2000, of which \$239,000 was rescinded. The House approved an appropriation of \$67,143,000, denying the request of \$613,000 for an additional nine FTE as well as the request of \$1,030,000 for information technology enhancements. S. 2900, as reported, would have funded OMB at \$67,935,000, and H.R. 4516/H.R. 4985, as vetoed, would have funded the account at the requested level. Section 624

of the Act makes permanent the provision directing OMB to provide a yearly accounting statement and report on the costs and benefits of Federal regulatory programs.

**Office of National Drug Control Policy.** The Act appropriates \$24,759,000 for the salaries and expenses account. The FY2001 budget requested an appropriation of \$25,400,000, a 10.7% increase over the \$22,951,000 appropriated in FY2000, of which \$128,000 was rescinded. The House had, in H.R. 4871, approved an appropriation of \$24,759,000, denying the request of \$641,000 for communications, equipment, and other services. S. 2900, as reported, would have funded the account at \$24,312,000. The vetoed H.R. 4516/H.R. 4985 would have funded the account at \$24,759,000. P.L. 106-346 provides an additional \$7,000,000, of which \$5,000,000 is for continued operation of the technology transfer program, and \$2,000,000 is for a counternarcotics research and development project in Colorado.

For the Counterdrug Technology Assessment Center, the Act provides \$29,053,000, while the FY2001 budget had proposed \$20,400,000, a 37.6% decrease from the \$32,052,000 appropriated in FY2000, of which \$198,000 was rescinded. The House approved an appropriation of \$29,750,000. S. 2900, as reported, would fund the account at \$29,052,000. The vetoed H.R. 4516/H.R. 4985 would have funded the account at \$29,053,000. The appropriation includes \$15,803,000, for the counterdrug research and development projects and which must be available for transfer to other federal departments and agencies, and \$13,250,000 for the continued operation of the counterdrug technology transfer program.

The Act maintains the current level of funding for the counterdrug technology transfer program, and includes funding to support CTAC's core research programs and to continue support for the U.S. Olympic Committee's anti-doping program.

**Federal Drug Control Programs.** For the High Intensity Drug Trafficking Areas Program, the Act provides \$206,500,000, while the FY2001 budget proposed \$192,000,000, the same amount as appropriated for FY2000, from which \$730,000 was rescinded. The House Appropriations Committee stated that given F2001 resource constraints, it would be best not to earmark the funds and expects that ONDCP will make its designation and funding decisions based on performance measures of effectiveness. The House bill would have appropriated \$217,000,000, and the Senate, in reporting S.2900, would have funded the account at \$196,000,000. The vetoed H.R. 4516/H.R. 4985 would have funded the account at \$206,500,000, of which 51% would be for transfer to state and local entities and 49% for federal agencies and departments.

In the conference report for P.L. 106-554, the conferees stated that they were fully funding the Administration's request and providing an additional \$14,500,000 to increase funding or expand existing HIDTAs, or to fund newly designated HIDTAs. If existing HIDTAs are funded at levels other than those established for the FY2000 programs, justification must be sent to Congress. Likewise, no funds may be obligated for new programs until a justification is sent to Congress. The conferees restated the congressional interest in the work of the HIDTA Performance Management Working Group. The conferees directed ONDCP to review several

specific geographic areas to be considered for new funding, others to receive increases, and full minimum funding for three named areas. The conferees urged ONDCP to consider using funds provided above the budget request for designating new HIDTAs from areas which had previously submitted requests.

For the Special Forfeiture Fund, the Act provides \$233,600,000 rather than the FY2001 budget proposal of \$259,000,000, which was a 19.9% increase over the \$216,000,000 appropriated for FY2000, of which \$703,000 was rescinded. The House bill would have provided an appropriation of \$219,000,000, which would include \$185,000,000 for the National Youth Anti-Drug Media Campaign; \$30,000,000 to carry out the Drug Free Communities Act (DCFA); \$1,000,000 for the National Drug Court Institute; and \$3,000,000 for the costs of space and operations of the counter drug intelligence executive secretariat established as part of the General Counterdrug Intelligence Plan. The House Appropriations Committee, in reporting H.R. 4871, recommended denying \$10,000,000 for increased funding for the Youth Media Campaign, \$5,000,000 for the DCFA, and \$25,000,000 for additional funding for a national criminal justice treatment demonstration project. S. 2900, as reported, would have funded the account at \$144,300,000, of which \$90,700,000 would be for the anti-drug media campaign, and \$40,000,000 would be for the DCFA. The vetoed H.R. 4516/H.R. 4985 would have funded the account at \$233,600,000.

The funding measure provides that \$185,000,000 is for the anti-drug media campaign, \$40,000,000 to carry out the DCFA, \$3,000,000 for the counter drug intelligence executive secretariat, \$3,300,000 for the U.S. Olympic Committee's anti-doping efforts, \$1,300,000 for the Metro Intelligence Support and Technical Investigative Center, and \$1,000,000 for the National Drug Court Institute. With regard to the administration of the National Youth Anti-Drug Media Campaign, the conferees provide direction to the ONDCP.

**Unanticipated Needs.** Although the Act provided no funding for this account, P.L. 106-346 appropriated \$1,000,000 for the unanticipated needs. The FY2001 budget proposed \$1,000,000, the same as was appropriated for FY2000, of which \$4,000 was rescinded, for expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense, which might arise at home or abroad. The FY2001 budget also proposed \$2,500,000 to be provided to the Elections Commission of the Commonwealth of Puerto Rico as a transfer to be used for citizens' education and a choice by voters regarding the island's future status.

P.L. 106-346 appropriates \$2,500,000 to be provided to the Elections Commission. None of the funds may be obligated until 45 days after the Elections Commission submits to the Committees on Appropriations for approval an expenditure plan developed jointly by the Popular Democratic Party, the New Progressive Party, and the Puerto Rican Independence Party. The expenditures plan is to include additional views from any party that does not agree with the plan. (No funding of the Unanticipated Needs account had been provided by the earlier appropriations bills.)

## Independent Agencies

**Federal Election Commission (FEC).** The FEC administers federal campaign finance law; oversees disclosure requirements, limits on contributions and expenditures, and the presidential election public funding system; and retains civil enforcement authority. P.L. 106-554 provides \$40,500,000, of which no less than \$4,689,500 shall be available for internal automated data processing systems and no more than \$5,000 may be used for reception and representation expenses.

The FY2000 appropriation of \$38,152,000 for the FEC was subject to an across-the-board .38% government rescission under the Consolidated Appropriations Act, reducing the appropriation by \$144,000, to \$38,008,000.

For FY2001, the President's budget requested an appropriation of \$40,500,000, allowing for 352 full-time equivalents (FTEs). This reflected a 6.6% increase, or \$2,492,000, above the FY2000 level. As a concurrent submission agency, the FEC submitted its own request to Congress, calling for a funding level of \$40,960,000 and for 356 FTEs.

The House adopted its Appropriations Committee's recommendation for an appropriation of \$40,240,000, a reduction of \$260,000 from the Administration's request and \$720,000 from the FEC's request. Specifically, the committee refused the agency's requests of \$100,000 for legal document imaging, \$100,000 for completion of Voting Systems Standards, \$60,000 for a national conference on the standards, and \$460,000 for an additional 4 FTEs within the Commissioners' offices. The committee stipulated that no less than \$4,689,500 be used for internal automated data processing systems and no more than \$5,000 be used for reception and representation expenses.

The House bill (H.R. 4871, section 637), as passed, included certain clarifications of federal election law, largely based on FEC recommendations: requiring election cycle-based reporting of certain expenditures; allowing 24-hour notices of large contributions or independent expenditures in the last 20 days of an election to be filed by FAX or electronic mail; allowing candidates to use lines of credit for campaign funds if made under commercially reasonable terms by lenders in the normal course of business; changing the deadline for submitting notices of large contributions in the last 20 days of an election from 48 to 24 hours after receipt, and requiring the receipt, rather than the filing, of late independent expenditure notices within 24 hours of being made. Finally, the House bill included a committee amendment requiring House and Senate candidates who use federal aircraft to travel to a campaign event to report to the FEC the type of aircraft used, the number of individuals who used the aircraft, and the amount the candidate paid to reimburse the federal government for the aircraft's use (together with the methodology used to determine such amount). These provisions would take effect in 2001.

The Senate accepted its Appropriations Committee's recommendation for an FEC appropriation of \$39,755,000, \$745,000, or 1.8%, less than the Administration proposed and \$485,000, or 1.2%, less than the House approved. The Senate bill included the same stipulations as the House bill regarding internal automated data

processing systems and reception and representation expenses. No legislative provisions concerning FEC operations were contained in the Senate measure.

The vetoed conference agreement would have appropriated \$40,500,000 for the FEC, the same figure as recommended by the Administration and more than in either the House or Senate bills. It would have included the stipulation that no less than \$4,689,500 be used for internal automated data processing systems and no more than \$5,000 be used for reception and representation expenses. No legislative provisions concerning FEC operations or candidate use of government aircraft were contained in the vetoed measure.

**Federal Labor Relations Authority (FLRA).** P.L. 106-554 provides funding of \$25,058,000 for FLRA. This matches the amount recommended by the House Appropriations Committee, passed by the House, recommended by the Senate Appropriations Committee, and requested by the President in his FY 2001 budget. The law also provides for a 0.22% or \$55,127 across-the-board cut in the FY 2001 funding. After this reduction, the FY 2001 funding is \$25,002,873. The agency serves as a neutral party in the settlement of disputes that arise between unions, employees, and agencies on matters outlined in the Federal Service Labor Management Relations Statute; decides major policy issues; prescribes regulations; and disseminates information appropriate to the needs of agencies, labor organizations, and the public. The agency's FY 2000 appropriation was \$23,828,000. P.L. 106-113 mandated a 0.38% or \$91,000 rescission in the FY 2000 funding.<sup>35</sup> According to the FLRA, the cut was to be absorbed by postponing an office move and managing positions that are vacant by filling them more slowly and at lower grade levels. After the reduction, the FY 2000 funding was \$23,737,000. The FY 2001 appropriation, after the rescission, is 5.3% above this amount.

**General Services Administration (GSA).** P.L. 106-554 provides \$632,211,000 for GSA. Of this total, \$464,154,000 is appropriated for the Federal Buildings Fund; \$123,920,000 for policy and operations; \$34,520,000 for the Office of Inspector General; \$2,517,000 for benefits to former Presidents; and \$7,100,000 for the presidential transition. An additional \$2,070,000 is to be deposited into the Federal Buildings Fund. An advance FY2002 appropriation of \$276,400,000 is also provided for the Federal Buildings Fund. There is also a .22% rescission of FY2001 Federal Buildings funds.

**Federal Buildings Fund.** P.L. 106-346 appropriated \$11,350,000 to the Federal Buildings Fund. Of this total, \$3,000,000 was to be provided for non-prospectus construction projects; and \$8,345,000 for repair of a courthouse annex located in Columbia, SC.

On July 20, 2000, the House passed H.R. 4871, which largely reflected the July 18, 2000 recommendations of the Appropriations Committee. H.R. 4871, as passed, would have appropriated \$152,471,000 to the GSA accounts. The Senate-reported version (S. 2900) totaled \$167,557. The vetoed H.R. 4516 (H.R. 4985) would have

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<sup>35</sup>Budget, *Analytical Perspectives*, p. 395.

funded GSA at \$632,211, the first version to appropriate funds to the Federal Buildings Fund.

H.R. 4871, as passed, would have provided \$5,502,333,000 in new obligational authority for the Federal Buildings Fund. S. 2900, as reported, authorized \$5,502,333,000. The vetoed measure would have provided \$5,971,509,000 in new obligational authority, and directly appropriated \$464,154,000 into the Fund to cover a portion of the Fund's new obligational needs.

Under H.R. 4871, no funds would be appropriated to the Federal Buildings Fund for FY2001. In addition, there would be no provision for the \$477,484,000 in the President's budget request for advanced appropriations. The Committee specifically stated that there would not be any appropriations for reimbursing the Federal Buildings Fund for moving costs incurred by GSA associated with relocating the FCC to a new location in Washington, D.C. The Committee stated that these expenses are the responsibility of the agency being moved.<sup>36</sup> S. 2900, as reported, would not provide direct appropriations to the Fund but would provide \$374,345,000 in advance appropriations. H.R. 4516, as vetoed, was silent on the moving costs but would have provided \$276,400,000 advance appropriations.

The House committee also recommended no new obligational authority for construction and acquisition, which is a decrease of \$54,197,000 from FY2000, and a decrease of \$779,788,000 from the President's budget request. The committee stated that it is essential for GSA to maintain, to the greatest extent possible, the inventory of existing federal properties. The Senate version would allow an obligational authority of \$3,000,000 for construction and acquisition. The conferees, on H.R. 4516, determined that there would be a obligational authority of \$472,176,000 and stipulated that the authority was to be directed to nine projects. GSA would be required to provide a written report to the Appropriations Committees showing the proposed allocations. \$3,500,000 would be earmarked for the design and site acquisition of a combined law enforcement facility in Saint Petersburg, Florida.

With regard to new courthouse construction, the House committee noted, with disappointment, that it was not able to provide any funds for this effort. The Committee expressed concern about aspects of the President's budget's submission, since it so greatly differed from the initial request of GSA and the Judicial Conference in both funding amounts and new construction priorities.<sup>37</sup> In addition, H.R. 4871, as passed, had a provision requiring the judicial and executive branches to reach an agreement on new courthouse construction before GSA formally submits its budget request. S. 2900, as reported, would have authorized \$671,193,000 to be made available from the Federal Buildings Fund for repairs and alterations (including three courthouse projects); and an additional amount of \$374,345,000 to be deposited into the Fund for construction of additional projects (including four courthouse projects). H.R. 4516, as vetoed, would have provided \$472,176,000 for nine new construction projects (including four courthouse projects); and \$276,400,000 in advance funding for courthouse construction projects.

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<sup>36</sup>H.Rept. 106-756, p. 61.

<sup>37</sup>*Ibid.*, pp. 61-62.



The House committee recommended a limitation of \$490,592,000 for repairs and alterations, a decrease of \$108,082,000 below the enacted limitation level for FY2000 and a decrease of \$230,601,000 below the President's budget request. S. 2900, as reported, and the conferees would authorize obligation authority for the repairs and alternations account at \$671,193,000. The House and Senate committees, as well as the conferees, recommended a limitation of \$2,944,905,000 for rental of space, which is an increase of \$162,719,000 above the enacted limitation level for FY2000, and the same as the budget estimate. A limitation of \$1,580,909,000 would be provided, under H.R. 4871, as passed the House, for FY2001 building operations, which is the same level as provided for FY2000, and a decrease of \$43,862,000 below the budget estimate. The Senate version, as reported, and H.R. 4516, as vetoed, would limit obligations to the same level as the requested \$1,624,771,000.

**Presidential transition.** The only account, within the vetoed H.R. 4516, which has been funded specifically in the CR was that through which the General Services Administration was to administer the presidential transition. On November 2, Congress agreed to a continuing funding resolution (H.J.Res. 123) which was amended to include the \$7.1 million provided in the vetoed legislation.<sup>38</sup> There was no recorded vote on the amendment but the resolution, which amended P.L. 106-275, was agreed to through a vote of 310 to 7 (Roll No. 592). The Senate agreed to H.J.Res. 123 by unanimous consent.<sup>39</sup> P.L. 106-426 was signed November 3, 2000.

**Policy and operations.** P.L. 106-346 provided \$13,789,000 for policy and operations. The House would have appropriated \$115,434,000, which was a decrease of \$4,089,000 less than the amount appropriated in FY2000, and a decrease of \$21,546,000 less than the amount in the President's budget request. S. 2900, as reported, provided \$123,420,000. The vetoed version would have provided the policy and operations account with \$123,920,000.

**Office of Inspector General.** S. 2900, as reported, and H.R. 4516, as vetoed, funded the account at \$34,520,000.

**Allowances and office staff for former Presidents.** H.R. 4871, as passed, would have appropriate \$2,517,000 for allowances and office staff for former Presidents, an increase of \$276,000 above the FY2000 enacted level and the same as the President's budget request. S. 2900, as reported, and the conference version would also have funded that account at \$2,517,000. In addition, while the House did not provide funding for presidential transition, S. 2900 would provide \$7,100,000, the amount requested. H.R. 4516, as vetoed, would have funded this account at the same level.

**Merit Systems Protection Board (MSPB).** P.L. 106-554 provides funding of \$29,437,000 for the MSPB. In addition, \$2,430,000 will be transferred from the

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<sup>38</sup>Making Further Continuing Appropriations for Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 2, 2000, pp. H11784-H11785.

<sup>39</sup>Making Further Continuing Appropriations for the Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 2, 2000, p. S11504.

Civil Service Retirement and Disability trust fund to provide for administrative expenses to adjudicate retirement appeals. This total, \$31,867,000, was the amount recommended by the Senate Appropriations Committee and requested by the President in his FY 2001 budget proposal and in a June 5, 2000 request for an additional \$580,000. The House Appropriations Committee recommended and the House passed an appropriation of \$28,857,000 for the MSPB, including the additional \$2,430,000 for administrative expenses. The law also provides for a 0.22% or \$70,107 across-the-board cut in the FY 2001 funding. After this reduction, the FY 2001 funding is \$31,796,893. The MSPB assists federal agencies in running a merit-based civil service system. The agency's FY 2000 appropriation, not including the trust fund transfer, was \$27,586,000. P.L. 106-113 mandated a 0.38% or \$105,000 rescission in the FY 2000 funding.<sup>40</sup> The reduction was to be absorbed, said the MSPB, by reducing the funding dedicated to its 5-year information technology improvement plan which includes establishment of a system for filing cases electronically. After the reduction, the FY 2000 funding for salaries and expenses was \$27,481,000. When the trust fund transfer was added, the total FY 2000 funding was \$29,911,000. The FY 2001 appropriation, including the trust fund transfer and after the rescission, is 6.3% above this amount.

As stated in the Senate Appropriations Committee report, the recommended appropriation includes \$703,000 for mandatory cost increases including required pay adjustments, \$673,000 for the next installment for the ongoing information technology plan, \$138,000 for anticipated costs of additional appeals cases, and \$442,000 for increased lease costs.<sup>41</sup>

**National Archives and Records Administration (NARA).** The custodian of the historically valuable records of the federal government since its establishment in 1934, NARA also prescribes policy and provides both guidance and management assistance concerning the entire life cycle of federal records. It also administers the presidential libraries system; publishes the laws, regulations, and presidential and other documents; and assists the Information Security Oversight Office (ISOO), which manages federal security classification and declassification policy; and the National Historical Publications and Records Commission (NHPRC), which makes grants nationwide to help nonprofit organizations identify, preserve, and provide access to materials that document American history.

P.L. 106-554 funds NARA at \$305,395,000, with no advance appropriation for use in the next fiscal year. The allocation of those funds is \$209,393,000 for operating expenses, \$95,150,000 for repairs and restoration, and \$6,450,000 for the National Historical Publications & Records Commission grants program. P.L. 106-346 allocates \$6,610,000 for repairs to the John F. Kennedy Presidential Library.

The President's FY2001 budget requested \$209,393,000 for NARA operating expenses, which was \$28,995,000 greater than the \$180,398,000 appropriated for FY2000. (With the FY2000 rescission applied, the net funding for operating expenses was \$179,674,000.) H.R. 4871, as passed by the House, would have provided

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<sup>40</sup>Budget, *Analytical Perspectives*, p. 395.

<sup>41</sup>S.Rept. 106-500, p. 78.

\$195,119,000. The Senate bill, as reported, and the vetoed conference agreement would have provided the requested amount. Under the vetoed agreement (H.R. 4516/H.R. 4985), up to \$5 million could have been used for the Implementation of the Nazi War Crimes Disclosure Act (112 Stat. 1859; 5 U.S.C. 552 note), including preservation and restoration of declassified records, public access and dissemination activities, and necessary support services for the Nazi War Criminal Records Interagency Working Group.<sup>42</sup>

In addition, \$99,560,000 was sought for repairs and restoration of NARA facilities, an increase of \$77,264,000 over the \$22,418,000 appropriated for the current fiscal year. (The FY2000 rescission in this account resulted in net funding of \$22,296,000.) H.R. 4871, as passed by the House, would have appropriated \$5,650,000, with the Senate bill recommending \$92,950,000, with \$4,950,000 to be available in FY2001 and \$88,000,000 to be available in FY2002. The vetoed conference agreement would have funded the account at \$95,150,000 in FY2001. The conference report stipulated that \$4,950,000 would be for the general repairs and restoration program and \$88,000,000 “for the major repair and restoration project at the main Archives building, \$1,500,000 for the construction of a new Southeast Regional Archives facility, and \$700,000 for the design of a 10,000-square-foot extension to the Gerald R. Ford museum.”<sup>43</sup> P.L. 106-346 allocates \$6,610,000 for repairs to the John F. Kennedy Presidential Library, but no other amounts for any NARA programs or operations.

The \$6,000,000 requested for the National Historical Publications and Records Commission (NHPRC) for FY2001 was \$250,000 less than the amount appropriated for FY2000. H.R. 4871, as passed the House, would appropriate \$6,000,000. The Senate bill and the vetoed conference agreement would appropriate \$6,450,000.

No new funding was sought for the NARA Records Center Revolving Fund, which was initially capitalized with a \$22 million appropriation in FY2000.

Section 514 of P.L. 106-554 instructs the Archivist of the United States to transfer land in Grand Rapids, Michigan to the Gerald R. Ford Foundation. The grant is to be held in trust for the purpose of supporting the Gerald R. Ford Museum in Grand Rapids and the Gerald R. Ford Library in Ann Arbor, Michigan. The parcels are described and the terms and conditions set out.

**Office of Government Ethics (OGE).** The Office of Government Ethics, a small agency within the executive branch, was established by the Ethics in Government Act of 1978. Originally part of the Office of Personnel Management, OGE became a separate agency on October 1, 1989, as part of the Office of Government Ethics Reorganization Act of 1988. The Office of Government Ethics exercises leadership in the executive branch to prevent conflicts of interest on the part of government employees, and to resolve those conflicts of interest that do occur. In partnership with executive branch agencies and departments, OGE fosters high ethical

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<sup>42</sup>Conference Report on H.R. 4516, Legislative Branch Appropriations Act, 2001, *Congressional Record*, daily edition, vol. 146, July 27, 2000, p. H7124.

<sup>43</sup>*Ibid.*

standards for employees and strengthens the public's confidence that the Government's business is conducted with impartiality and integrity. P.L. 106-554 provides \$9,684,000, as was requested in the budget, a 6.25% (\$570,000) increase from the \$9,114,000 originally appropriated for FY2000. However, the appropriation for FY2000 was subsequently reduced by .038% (\$34,000), the across the board cut mandated by the consolidated appropriations act of FY2000. Accordingly, the FY2000 net funding for OGE was \$9,080,000, and the FY2001 request of \$9,684,000 was an actual increase of \$604,000 (6.6%) over the FY2000 appropriations. As vetoed, H.R. 4516 would have funded OGE at the requested level of \$9,684,000.

**Office of Personnel Management (OPM).** The budget for OPM is comprised of budget authority for both permanent and current appropriations. This report discusses the budget authority for current appropriations. P.L. 106-554 provides funding of \$14,609,403,000 for the agency, which is responsible for administering personnel management functions. This total includes discretionary funding of \$94,095,000 for salaries and expenses and \$1,360,000 for the Office of Inspector General (OIG). It also includes mandatory funding of \$5,427,166,000 for the government payment for annuitants of the employees health benefits program, \$35,000,000 for the government payment for annuitants of the employee life insurance program, and \$8,940,051,000 for payment to the civil service retirement and disability fund. Included in this total as well are proposed trust fund transfers of \$101,986,000 for salaries and expenses and \$9,745,000 for OIG salaries and expenses. The law also provides for a 0.22% or \$455,000 across-the-board cut in the FY 2001 funding. After this reduction, the FY 2001 funding is \$14,608,948,000.

The House Appropriations Committee recommended, and the House passed, an appropriation of \$14,608,779,000 for the agency. This total included discretionary funding of \$93,471,000 for salaries and expenses and the amounts stated above for the OIG, health benefits, life insurance, and retirement accounts. Included in this total as well were proposed trust fund transfers of \$101,986,000 for salaries and expenses and \$9,745,000 for OIG salaries and expenses. The House-passed amount was \$7,087,000 below the \$14,615,866,000 proposed by the President in his FY2001 budget; the reduction applies to the salaries and expenses account (the President proposed \$100,558,000). The House Appropriations Committee report stated that "the Committee denies without prejudice the President's request of \$6,150,000 for the Federal Cyber-Service program; \$300,000 to develop a workforce planning model; \$300,000 for improvements in setting compensation rates; and \$100,000 to research best practices in compensation systems."<sup>13</sup> The President's budget also requested a one million dollar supplemental to "help agencies meet a critical need for highly trained information security personnel."<sup>14</sup> The House Appropriations Committee did not address this issue.

The Senate Appropriations Committee recommended an appropriation of \$14,607,000,000. This total included discretionary funding of \$94,095,000 for salaries and expenses; \$1,356,000 for the OIG; and the amounts stated above for health benefits, life insurance, and retirement accounts. Included in this total as well were

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<sup>13</sup>H.Rept. 106-756, p. 75.

<sup>14</sup>Budget, *Appendix*, p. 1240.

proposed trust fund transfers of \$99,624,000 for salaries and expenses and \$9,708,000 for OIG salaries and expenses. The Senate recommendation was \$6,467,000 below the \$14,615,866,000 proposed by the President in his FY 2001 budget.

P.L. 106-113 mandated a 0.38% or \$756,000 rescission in the FY2000 funding.<sup>15</sup> OPM did not provide details as to how the cut was being absorbed. OPM's FY2000 appropriation, including the trust fund transfers and after the reduction, was \$14,458,081,000. The FY 2001 appropriation, including the trust fund transfers, and after the rescission, is 1% above this amount.

As stated in the House Appropriations Committee report, the recommended appropriation included \$237,000 for expanded oversight of non-Title 5 agency merit systems; \$400,000 for new qualification standards to simplify hiring and assessment; \$313,000 to maintain current levels; \$800,000 for on-going information technology support; \$700,000 for agency wide information technology architecture; \$181,000 for NARA (National Archives and Records Administration) costs; and \$1,900,000 for administrative financial systems support to ensure an unqualified audit opinion.<sup>16</sup>

The House Appropriations Committee report "directs OPM to provide a report on options for addressing federal employees' elder care needs, including any legislative recommendations that may be appropriate, to the Committee no later than March 1, 2001."<sup>17</sup>

As stated in the Senate Appropriations Committee report, the recommended appropriation included \$1,500,000 for investment technology infrastructure and architecture, \$1,900,000 for administrative financial systems support and improvements, \$1,574,000 for human resources initiatives, and \$181,000 for mandatory cost increases including required pay adjustments.<sup>18</sup>

The Senate Committee report "recommends that the pilot project permitting Executive agencies to use their appropriated funds to help subsidize child care expenses for their lower paid employees be extended until September 30, 2001."<sup>19</sup>

H.R. 5658, as enacted through Public Law 106-554, directs OPM to conduct a study to develop one or more alternative means for providing federal employees with at least six weeks of paid parental leave in connection with the birth or adoption of a child (apart from any other paid leave). OPM is required to report its findings and recommendations to Congress by September 30, 2001. This was an amendment to H.R. 4871 (Section 650) which was offered by Representative Carolyn Maloney and agreed to by the House by voice vote.

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<sup>15</sup>Budget, *Analytical Perspectives*, p. 393.

<sup>16</sup>H.Rept. 106-756, p. 75.

<sup>17</sup>*Ibid.*, p. 76.

<sup>18</sup>S.Rept. 106-500, p. 82.

<sup>19</sup>*Ibid.*, p. 83.

Section 516 of H.R. 5658 provides that OPM may accept and utilize funds made available to the agency pursuant to court approval to resolve litigation and implement any settlement agreements for the nonforeign area cost-of-living allowance program. This was section 513 of S. 2900, as reported.

President Clinton proposed a 3.7% pay adjustment for federal employees in his FY 2001 budget. This amount is the overall average increase, including locality pay adjustments. The conference agreement incorporating H.R. 5658 (as well as the vetoed H.R. 4516 conference agreement, H.R. 4871, as passed by the House, and S. 2900, as reported) is silent on this issue. However, the program funding in the legislation assumes a 3.7% pay adjustment in January 2001 for federal employees. Section 140 of H.R. 5666, also enacted through Public Law 106-554, specifies a 3.7% pay adjustment, “consistent with the alternative pay plan submitted by the administration on November 30, 2000.”<sup>20</sup>

**Locality Pay Designations.** Section 637 of H.R. 5658 includes “a new provision authorizing the President’s Pay Agent to use appropriate data from sources other than the Bureau of Labor Statistics in making new locality pay designations” and “directs the President’s Pay Agent to report on the status of efforts to resolve the methodological concerns with the NCS (National Compensation Survey) program and on the efficacy of utilizing non-BLS (Bureau of Labor Statistics) data in making comparability payment recommendations.”<sup>21</sup> The report must be submitted to the Senate and House Committees on Appropriations, the Senate Committee on Governmental Affairs, and the House Committee on Government Reform by May 1, 2001. This was section 639 of H.R. 4871, as passed by the House and section 637 of the vetoed H.R. 4516/H.R. 4985 conference report.

Section 645 of H.R. 5658 includes a provision which makes the compensation of administrative appeals judges and administrative law judges comparable. This was an amendment to H.R. 4871 (Section 647) offered by Representative Constance Morella and agreed to by the House by voice vote. Section 641 of H.R. 5658 (Section 641 of the vetoed H.R. 4516/H.R. 4985 conference agreement and Section 642 of H.R. 4871, as passed) provides that overtime pay for a firefighter for hours in a regular tour of duty will be included in any computation of pay under 5 U.S.C. 8114 related to compensation for work injuries. Section 642 of H.R. 5658 (Section 642 of the vetoed H.R. 4516/H.R. 4985 conference agreement and Section 643 of H.R. 4871, as passed) provides that the minimum charge for military leave (without loss in pay or time) for the reserves and National Guardsmen under 5 U.S.C. 6323(a) will be one hour and additional charges will be in multiples thereof.

**Office of Special Counsel (OSC).** P.L. 106-554 provides funding of \$11,147,000 for the OSC. This was the amount requested by the President in his FY 2001 budget proposal. The House Appropriations Committee recommended, and the House passed, an appropriation of \$10,319,000 for the OSC. The Senate Appropriations Committee recommended an appropriation of \$10,733,000. The House amount was \$828,000 below, and the Senate amount was \$414,000 below, the

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<sup>20</sup>*Congressional Record*, daily edition, vol. 146, Dec. 15, 2000, pp. H12276 and H12319.

<sup>21</sup>H.Rept. 106-756, p. 76.

law and the President's request. The law also provides for a 0.22% or \$24,523 across-the-board cut in the FY 2001 funding. After this reduction, the FY 2001 funding is \$11,122,477. The agency investigates federal employee allegations of prohibited personnel practices and, when appropriate, prosecutes before the Merit Systems Protection Board; provides a channel for whistle blowing by federal employees; and enforces the Hatch Act. The agency's FY2000 appropriation was \$9,740,000. P.L. 106-113 mandated a 0.38% or \$37,000 rescission in the FY2000 funding.<sup>22</sup> The OSC said that it will absorb the reduction by delaying the scope of the planned reconstruction of office space which would have provided the agency's lawyers and investigators with private offices. After the reduction, the FY 2000 funding was \$9,703,000. The FY 2001 appropriation, after the rescission, is 14.6% above this amount.

The President's budget stated that, "The request will enable OSC to reduce its long-standing case-processing backlogs, and will ensure that OSC's customers receive prompt and timely service in accordance with the time frames laid out in [law] ... (240 days to process prohibited practice complaints) and ... (15 days to make initial determination on whistleblower disclosure)."<sup>23</sup> The House Appropriations Committee report stated that "the Committee denies without prejudice the President's request of \$772,000 for additional personnel to reduce case backlog, and \$56,000 for related equipment, travel, and training."<sup>24</sup> As stated in the Senate Appropriations Committee report, the recommended appropriation included \$616,000 for mandatory cost increases, including required pay adjustments, and \$414,000 for five new full-time equivalent positions and the related equipment.<sup>25</sup> The report also urges the OSC to complete an investigation of allegations made by a State Department employee "in a timely manner."

## General Provisions

This section of the report calls attention, briefly, to some of the law enacted under the general provisions titles of the Treasury and General Government FY2001 appropriation (see H.R. 5658). Both Title V and Title VI provide general government-wide guidance on basic infrastructure-like policies, such as requiring provisions related to the Buy America Act (sections 506 and 507), drug-free federal workplaces (section 602), and authorizing agencies to pay GSA bills for space renovation and other services (section 606).

**Title V** .With the exception of the sections relating to the Federal Employees Health Benefits Program, which continue provisions already in effect from previous years, the sections noted here are either new or contain modified policies.

**Federal Employees Health Benefits Program.** See discussion of sections 509, 510, and 513 under the "Federal Personnel Issues" section below.

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<sup>22</sup>*Budget, Analytical Perspectives*, p. 396.

<sup>23</sup>*Budget, Appendix*, p. 1192.

<sup>24</sup>H.Rept. 106-756, p. 78.

<sup>25</sup>S.Rept. 106-500, p. 86.

**Gerald R. Ford Museum and Library.** See discussion of section 514 under National Archives and Records Administration above.

**Data Quality.** Section 515 of the bill requires the director of the Office of Management and Budget (OMB), by not later than September 30, 2001, and with public and federal agency involvement, to issue guidelines under 44 U.S.C. 3504(d)(1) and 3516 that provide policy and procedural guidance to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, disseminated by the agencies in fulfillment of the purposes and provisions of chapter 35 of Title 44, United States Code—the Paperwork Reduction Act. Such guidelines shall (1) apply to the sharing by federal agencies of, and access to, information disseminated by such agencies, and (2) require that each federal agency to which the guidelines apply:

- issue guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, issued by the agency, by not later than one year after the date of issuance of the OMB guidelines;
- establish administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with the OMB guidelines; and
- report periodically to the OMB director (1) the number and nature of complaints received by the agency regarding the accuracy of information disseminated by the agency, and (2) how such complaints were handled by the agency.

**Kyoto Protocol.** Section 517 provides that no funds appropriated by the Act may be used for any aspect of implementation of the December 17, 1997 Kyoto Protocol on climate changes, which has not been submitted to the Senate for ratification.

**Paperwork Reduction Effectiveness.** Under the provisions of section 518, the Office of Management and Budget must, by July 1, 2001, submit to the appropriate House and Senate committees a report that evaluates, for each agency, the extent to which the implementation of paperwork burden reduction legislation (31 U.S.C. chapter 35) has been effective and discusses the need for additional procedures to effect the goals. There is to be an evaluation of the burden imposed by each major rule that imposes more than 10,000,000 hours of burden and an identification of specific reductions expected to be achieved, in FY2001 and FY2002, in the burden imposed by all rules issued by each agency that issued such a major rule.

**Title VI.** Unless noted, all the provisions set out here are new or modified policies.

**Regulatory Costs Accounting.** Section 624 modifies, and makes permanent, the requirement that OMB annually, beginning for FY2002, submit, with the budget, an accounting statement and associated report containing an estimate of the total annual costs and benefits of federal rules and paperwork; an analysis of



impacts of federal regulations on state, local, and tribal government, small business, wages, and economic growth; and recommendations for reform.

***Dept. of Treasury Canine Certification.*** Section 626 continues, and makes permanent, the authorization for the Secretary of the Treasury to establish scientific certification standards for explosives detection canines. It also provides , on a reimbursable basis, for the certification of explosives detection canines employed by federal agencies, or other agencies providing explosives detection services at airports in the United States.

***National Science and Technology Council.*** Although section 610 is a continued provision prohibiting interagency expenditures on boards, committees, councils or commissions without prior statutory authorization, section 635 is a new provision which provides that funds appropriated in this act, or others, for FY2001 shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the national Science and Technology Council (Executive Order 12881). OMB is required to provide a report describing the budget of, and resources connected to, the Council to specific congressional committees by March 21, 2001.

***Law Enforcement Retirement.*** See discussion, in “Law Enforcement —Washington Area Airport Authority” section below, of section 636 retirement provisions relating to members of the police force of the Metropolitan Washington Airports Authority.

***Federal Employee Locality Pay Designations.*** See “Locality Pay Designations” in the OPM section above, for a discussion of the new provisions in section 637.

***Mandatory Removal of Law Enforcement Officers.*** Section 639 provides for the mandatory removal from employment of federal law enforcement officers who are convicted of felonies. Details of the policy are set out in the section and will be codified at 5 U.S.C. 7371. The policy will be effective January 21, 2001 and will apply to any conviction of a felony entered by a federal or state court on or after that date.

***Statutory Correction.*** Section 640 of P.L. 106-554 provides correction to FY2001 provisions enacted earlier. Section 640 of the Legislative Branch and Treasury FY2001 appropriation (H.R. 4516/4985, vetoed) would have rolled back the increased rates of contributions federal employees make to the retirement funds. Section 505 of P.L. 106-346 (Department of Transportation FY2001) provided for the rollback and Section 504 provided that section 640 of H.R. 4516/H.R. 4985 would have no effect. At the time P.L. 106-346 was signed, H.R. 4516/H.R. 4985 was pending approval by the President and it was presumed it would be approved. It was subsequently vetoed and normally the language of P.L. 106-346, section 504, would have been rendered moot.

However, section 504 does not refer to the measure by bill number but refers to the “Treasury and General Government Appropriations Act, 2001.” That is the short title of H.R. 5658, enacted by P.L. 106-554. If P.L. 106-554 had not contained

language, as found in section 640, any section in P.L. 106-554, which carried the designation “640,” would be rendered not in effect because of the language of section 504 of P.L. 106-346.

Section 644 of P.L. 106-554 repeals section 501 of P.L. 106-346 for the similar purpose of preserving the integrity of any section numbered 644 in the Treasury and General Government Appropriations Act, 2001.

***Federal Firefighter Workmen’s Compensation.*** Section 641 provides that overtime paid to federal firefighters will be used in the computation of the benefits to federal firefighters for work-related injuries.

***Military Leave.*** Section 642 provides that military leave taken by federal employees must be in increments of one hour.

***Federal Child Caregiver Background Checks.*** See “Federal Child Care” below for a discussion of the provisions of section 643.

***Administrative Appeals Judge — Salary.*** See discussion of section 645 in “Administrative Appeals Judge — Salary” subsection of the OPM presentation above.

***IG Reports on Individual Data Through Internet Use.*** Section 646 requires that, by February 19, 2001, the Inspector General of each department or agency will submit to Congress a report that discloses any activity relating to the collection or review of singular data or the creation of aggregate lists that include personally identifiable information about individuals who access any department or agency’s Internet site. The reports are also to include activities relating to entering into agreements with third parties to collect, review, or obtain such information or lists relating to any individual’s access or viewing habits for governmental and nongovernmental Internet sites.

## **Department of Transportation Appropriations, 2001 — P.L. 106-346**

During the debates in both the House and Senate on the Legislative Branch Appropriations conference report, several Members indicated that they supported higher levels of funding for some of the accounts under discussion. They were assured in floor exchanges that funding would be provided in subsequent appropriations measures to come before them.

Partial funding is provided for the following accounts:



Department of the Treasury: Departmental Offices, Department-wide systems and capital investments programs, Expanded Access to Financial Services, Federal Law Enforcement (both the salaries and expenses and the acquisition, construction, improvements and related expenses accounts), Bureau of Alcohol,

Tobacco, and Firearms, U.S. Customs Service (salaries and expenses), Internal Revenue Service (three accounts—tax law enforcement, information technology investments, and staffing tax administration for balance and equity), and the U.S. Secret Service (salaries and expenses).

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U.S. Postal Service (no funding)

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Executive Office of the President: Office of National Drug Control Policy (Counterdrug Technology Assessment Center) and Funds Appropriated to the President—Unanticipated Needs.

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Independent Agencies: General Services Administration (Federal Buildings Fund and Policy and Operations) and National Archives and Records Administration (Repairs and Restoration)

In addition to partially funding some of the accounts, P.L. 106-346 (H.R. 4475) also addresses general provisions, such as privacy, federal employee retirement changes, and U.S. Secret Service assistance for investigations related to missing and exploited children. The retirement language was intended as an amendment to the language in H.R. 4516/H.R. 4985, which has since been vetoed. Also, in effect, the funding was intended as supplemental funding for the accounts within that measure. The supplemental has been enacted prior to the base account funding.

## Privacy Provisions

Section 501 of P.L. 106-346 prohibits funds appropriated by the legislation to be used by any executive agency (1) to collect, review, or create any aggregate list, derived by any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any federal government Internet site of the agency, or (2) to enter into any agreement with a third party, including another government agency, to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any non-governmental Internet site. These limitations do not apply to (1) any record of aggregate data that does not identify particular persons; (2) any voluntary submission of personally identifiable information; (3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; and (4) any action that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

The first limitation may be viewed as a response to the June press revelation that the National Drug Control Policy Office, an agency within the Executive Office of the President, was secretly tracking visitors to its website through the use of computer software known as "cookies."<sup>26</sup> In response, OMB issued a June 22, 2000,

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<sup>26</sup>See John F. Harris and John Schwartz, "Anti-Drug Web Site Tracks Visitors," *Washington Post*, June 22, 2000, p. A23; Lance Gay, "White House Uses Drug-Message Site to Track (continued...)"

memorandum to the heads of all executive departments and agencies indicating that “‘cookies’ should not be used at Federal web sites, or by contractors when operating web sites on behalf of agencies, unless, in addition to clear and conspicuous notice, the following conditions are met: a compelling need to gather the data on the site; appropriate and publicly disclosed privacy safeguards for handling of information derived from “cookies”; and personal approval by the head of the agency.” The second limitation may be regarded as a response to a September GAO report indicating that, in a survey of online privacy protections at federal websites, it had been found that 23 of 70 agencies had disclosed personal information gathered from their websites to third parties, mostly other agencies. However, at least four agencies were discovered to be sharing such information with private entities—trade organizations, bilateral development banks, product manufacturers, distributors, and retailers. The offending agencies were not identified by GAO. Responding to these findings, some privacy advocates called for updating the Privacy Act, while others urged better oversight and enforcement of the statute.<sup>27</sup>

On October 5, the conference report to accompany H.R. 4475 was filed.<sup>28</sup> On October 6, it was brought up under the rule, H. Res. 612.<sup>29</sup> The vote to adopt the rule was unrecorded. The conference report was agreed to by the House on a vote of 344-50 (Roll no. 516) and by the Senate on a vote of 78-10 (Record Vote No. 267).<sup>30</sup> The President signed P.L. 106-346 on October 23, 2000.

## Continuing Resolution

P.L. 106-275,<sup>31</sup> as amended, is the statutory vehicle through which all government programs and agencies, which have not been funded through regular

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<sup>26</sup>(...continued)

Inquiries,” *Washington Times*, June 21, 2000, p. A3.

<sup>27</sup>Lance Gay, “GAO Finds Agencies Sharing Data of On-line Visitors,” *Washington Times*, Sept. 8, 2000, p. A3; U.S. General Accounting Office, *Internet Privacy: Agencies’ Efforts to Implement OMB’s Privacy Policy*, GAO Report GAO/GGD-00-191 (Washington: Jan. 2000).

<sup>28</sup>Conference Report on H.R. 4475, Department of Transportation and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146, [text of H.. Rept. 106-940], Oct. 5, 2000, p. H8922-H9004. See pp. H8934-H8937 for Title V (Treasury/General Government provisions) text and pp. H8978-H8980 for corresponding explanatory remarks.

<sup>29</sup>Waiving Points of Order Against Conference Report on H.R. 4475, Department of Transportation and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146, [Consideration and vote on H. Res. 612, the rule on H.R. 4475, H.Rept. 106-941], Oct. 6, 2000, p. H9014-H9018.

<sup>30</sup> Conference Report on H.R. 4475, Department of Transportation and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146 [Consideration and vote in the House], Oct. 6, 2000, pp. H9018-H9028. Department of Transportation and Related Agencies Appropriations Act, 2001—Conference Report, *Congressional Record*, vol. 146, [Consideration and vote in the Senate], Oct. 6, 2000, pp. S10052-S10059.

<sup>31</sup>P.L. 106-275; Sept. 29, 2000; 114 Stat. 808.

FY2001 appropriations, are being funded. Most are being funded at FY2000 funding levels. Most programs or accounts new in FY2001 are receiving no funding. Subsequent to the passage of P.L. 106-275, there were 20 additional continuing funding resolutions (CR) for FY2001, most of which amend P.L. 106-275 to provide daily continuations

One account, within the vetoed funding measure, was funded specifically in the November 3 (P.L. 106-426) CR is that through which the General Services Administration will administer the presidential transition. On November 2, Congress agreed to a continuing funding resolution (H.J.Res. 123) which was amended to include the \$7.1 million provided in the vetoed legislation.<sup>32</sup> There was no recorded vote on the amendment but the resolution, which amended P.L. 106-275, was agreed to through a vote of 310 to 7 (Roll No. 592). The Senate agreed to H.J.Res. 123 by unanimous consent.<sup>33</sup>

P.L. 106-520 (H.J.Res. 125), in addition to extending the funding, amends the FY2001 continuing funding resolution to authorize the Executive Residence at the White House to “make expenditures to provide for the orderly transition and moving expenses following the election on November 7, 2000.”<sup>34</sup> That authorization was also in H.R. 4871, as passed the house, and in H.R. 4516/H.R. 4985, as vetoed. H.J.Res. 125 was adopted in the House November 13<sup>35</sup> and in the Senate November 14.<sup>36</sup>

## Legislative Branch Conference Report

### Treasury and General Government Provisions

Inclusion of the Treasury, Postal Service and General Government funding provisions in the legislative branch appropriations<sup>37</sup> caught many by surprise. There are no minority signatures on the conference report. The text of the floor debate on the rule would indicate that some knew about the strategy and others were caught unaware.<sup>38</sup> The debate on the rule, agreed to in the House July 27, seemed to focus

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<sup>32</sup>Making Further Continuing Appropriations for Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 2, 2000, pp. H11784-H11785.

<sup>33</sup>Making Further Continuing Appropriations for the Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 2, 2000, p. S11504.

<sup>34</sup>Further Continuing Appropriations, Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 13, 2000, p. H11850.

<sup>35</sup>*Ibid.*

<sup>36</sup>Making Further Continuing Appropriations for the Fiscal Year 2001, *Congressional Record*, daily edition, vol. 146, Nov. 14, 2000, p. S11515.

<sup>37</sup>For tracking of the legislative branch funding bill, see CRS Report RL30512: *Appropriations for FY2001: Legislative Branch*, by Paul Dwyer.

<sup>38</sup>Waiving Points of Order Against Conference Report on H.R. 4516, Legislative Branch (continued...)

more on the protocol than on the substance of the provisions of H.R. 4985, as introduced and as included in the conference report. The House had passed H.R. 4871 and the Senate had begun debate on that measure, as well as having reported their own version, S. 2900. H.R. 4985 has received no stand-alone committee or floor action by either chamber. The House, having already agreed to the rule, proceeded to debate the conference report, and subsequently agreed to the report, on September 14, 2000. The Senate rejected the conference report on September 20.

There was substantial objection to the procedural protocol of bringing into a conference report, provisions of a bill which had been introduced the legislative day before it became part of the report and which contained spending levels considerably in excess of the House-passed and Senate-reported versions. There continued to be contention with regard to the adequacy of the funding levels for IRS accounts and for courthouse construction. Although there was not a formal press release nor a Statement of Administration Policy threatening a veto, the probability of a veto was suggested by both administration representatives and Democratic Members.

The funding levels in H.R. 4985, as introduced and as section 1001 of Division B of the H.R. 4516 conference report, are markedly different than those in the House-passed and Senate-reported versions. Table 4 provides the details by account. In summary, the conference version would have funded the accounts at \$30, 309.5 million. The FY2001 request was for \$31,208.4 million. The House approved \$29,081.6 million and the Senate Appropriations Committee reported their bill at \$29,180.6 million. There are four accounts which would have exceeded the President's request as well as both the House and Senate versions (Federal Law Enforcement Training Center, Financial Management Service and the Bureau of Alcohol, Tobacco and Firearms, and the U.S. Secret Service, all in the Department of the Treasury). There are two accounts which would have exceeded the President's request and would be equal to, or lower than, either the House or Senate versions (Financial Crimes Enforcement Network in the Department of the Treasury and the National Historical Publications and Records Commission Grants Program in the National Archives and Records Administration). There are 17 accounts in which the conference version would have exceeded both the House and Senate versions, but would be equal to (two), or below the President's request. There are 26 accounts in which the conference version would have exceeded the funding level proposed by either the House or the Senate. In most of those instances, the funding level would have matched the President's request and whichever congressional version was higher. Other than the mandatory accounts, there are eight accounts in which the conference funding level is in agreement with the President's request and both the House-passed and Senate-reported versions. (Note to Reader: These differentials are in P.L. 106-554, as well.)

**Data Quality.** Section 515 of the Treasury and General Government provisions would require the director of the Office of Management and Budget (OMB), by not later than September 30, 2001, and with public and federal agency

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<sup>38</sup>(...continued)

Appropriations Act, 2001, *Congressional Record*, daily edition, vol. 146, July 27, 2000, pp. H7143-H7152.

involvement, to issue guidelines under 44 U.S.C. 3504(d)(1) and 3516 that provide policy and procedural guidance to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, disseminated by the agencies in fulfillment of the purposes and provisions of chapter 35 of Title 44, United States Code—the Paperwork Reduction Act. Such guidelines (1) would apply to the sharing by federal agencies of, and access to, information disseminated by such agencies, and (2) would require that each federal agency to which the guidelines apply:

- issue guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information, including statistical information, issued by the agency, by not later than one year after the date of issuance of the OMB guidelines;
- establish administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with the OMB guidelines; and
- report periodically to the OMB director (1) the number and nature of complaints received by the agency regarding the accuracy of information disseminated by the agency, and (2) how such complaints were handled by the agency.

**Excise Tax.** The repeal of the telephone excise tax, although in Division B, is not part of the Treasury and General Government text. That provision can be found in Section 1003 of Division B, H.R. 4516. For a discussion of the issue, see CRS Report RS20119, *Telephone Excise Tax*, by Louis Alan Talley.

## Veto and Subsequent Action

On October 30, 2000, President Clinton vetoed H.R. 4516, sending the FY2001 funding for the legislative branch and the Treasury and general government accounts back to Congress. In the veto message, the President noted that the “business of the American people remains unfinished” and stated that he could not “in good conscience sign a bill that funds the operations of the Congress and the White House before funding our classrooms, fixing our schools and protecting our workers.”<sup>39</sup> On October 31, the House discussed the veto and referred the veto and bill to the Committee on Appropriations.<sup>40</sup>

Many press reports have indicated that the President vetoed the congressional pay raise. His statement does not mention that issue. There is no provision in H.R. 4516 for a pay raise; the raise goes into effect automatically unless there is language denying it and H.R. 4516 is silent on the issue. (See “Federal Pay” below.)

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<sup>39</sup>Legislative Branch Appropriations Act, 2001—Veto Message from the President of the United States, *Congressional Record*, daily edition, vol. 146, H. Doc. No. 106-306, Oct. 31, 2000, H11675.

<sup>40</sup>*Ibid.*, H11675-H11681.

## Federal Personnel Issues

### Pay

**General.** Under the Federal Pay Comparability Act of 1990 (FEPCA), federal white collar employees, paid under the General Schedule and related salary systems, are to receive annual adjustments based on two separate mechanisms. The first is the adjustment to base pay which is based on changes in private sector salaries as reflected in the Employment Cost Index (ECI). The rate of pay adjustment is supposed to be the percentage rate of change in that element of the ECI, minus .5. For January 2001, the base pay adjustment should be 2.7%. At this time there are no legislative proposals to change that rate. Since the President sent no alternative plan to Congress by the end of August, the base pay adjustment will be 2.7%

Since the budget recommendation is for 3.7% and since the assumption in this legislation is that the programs are funded to accommodate that rate, it follows that the second tier of the adjustment would be 1%. Locality-based payments are calculated based on the results of surveys of occupations in specific localities within the continental United States. [See discussion under OPM above with regard to the designation of those localities.] The surveys show that locality-based payments would have to average about 16% in order to meet the expectations of FEPCA. On December 1, 2000, President Clinton sent an alternative plan to Congress which provides that locality payments equal 1% of payroll.

**Federal Wage System.** The Federal Wage System (FWS) is designed to compensate the federal blue collar, or skilled labor, force at rates prevailing in local wage areas for like occupations. If the statutory system were allowed to be managed as planned, the wage rates and the rates of adjustment in the over 130 wage areas would vary, according to the labor costs and compensation in the private sector. For the last several years, Congress has limited the rates of adjustment, based on the rates of adjustment for the General Schedule. Part of the rationale for that decision is that, in certain high costs areas, the some FWS wages would exceed the salaries paid to General Schedule supervisors. Section 613 of the FY2001 appropriations continues the limitation. Wages in lower cost areas will be allowed to increase according to the findings of the wage surveys but the high cost area wages will be capped.

**Members of Congress, Judges, and Other Officials.** Under the Ethics Reform Act of 1989, as amended, pay adjustments for federal officials, including Members of Congress and judges, is also based on ECI calculations, but for a different 12-month period. The ECI calculations would dictate a pay adjustment in January 2001 of 3%. However, the statute limits those adjustments to the rate of adjustment for base pay of the General Schedule. Therefore, if General Schedule base pay is adjusted at the rate of 2.7%, that will be the maximum rate of adjustment in salaries of federal officials.

Although there has been substantial journalistic reporting that the President vetoed the Legislative Branch/Treasury and General Government in order to eliminate a January 2001 pay raise for Members of Congress, the pay raise would go into effect regardless of that action. Neither of those bills has any section in it providing for a



pay increase. The increase, under the statute discussed above, is automatic unless there is specific language in some legislative measure denying it. The language to deny that pay increase has often been placed in the Treasury and General Government funding measure. However, both the vetoed bill and P.L. 106-554 are silent on the matter.

Unlike that for Members of Congress and executive branch officials, the annual pay increase must be specifically authorized for judges. The authorization for the January 2001 pay increase is in the Commerce, State, Justice and Judiciary appropriation (P.L. 106-554, section 309).

**President.** Pursuant to the Treasury and General Government Appropriations Act, 2000 (P.L. 106-58), the incoming President will receive a salary of \$400,000 *per annum*. Since 1969, Presidents have been paid a salary of \$200,000.

## **Federal Employees Health Benefits Program**

Section 630 of H.R. 5658, as enacted through P.L. 106-554 is that same provision as section 631 of H.R. 4871, as passed the House. It requires health insurance plans participating in the Federal Employees Health Benefits Program (FEHBP) to include coverage of prescription contraceptives under their prescription drug benefit. It exempts from this requirement three specific health maintenance organizations for religious reasons as well as “any existing or future plan [participating in the FEHBP] if the carrier for the plan objects to such coverage on the basis of religious beliefs.” It also prohibits discrimination against “any individual who refuses to prescribe or otherwise provide for contraceptives because such activity would be contrary to the individual’s religious beliefs or moral convictions.” A requirement that FEHBP plan cover prescription contraceptives was first included in the FY1999 appropriations legislation. The provision in the FY2001 act is similar to that included in the FY2000 Treasury and General Government appropriations act.

As reported, S. 2900 contains a similar provision. It would have exempted two additional plans from the program.

Section 509 of H.R. 5658 prohibits funds appropriated through this Act to be used to pay for an abortion or the administrative expenses in connection with any health plan under FEHB which provides any benefits or coverage for abortions. An exception, in section 510 would be if the mother’s health were endangered or if the pregnancy were the result of rape.

Section 513 exempts contracts under FEHBP from the cost accounting standards promulgated under the Office of Federal Procurement Policy Act (41 U.S.C. 422).

## **Federal Retirement**

**Repeal of Temporary Increase in Retirement Contributions.** The Balanced Budget Act of 1997 (BBA, P.L. 105-33) mandated a temporary increase of 0.5% in employee contributions under both Civil Service Retirement System (CSRS) and Federal Employee Retirement System (FERS), which was to be phased in over

3 years. Employee contributions increased by 0.25% on January 1, 1999; by a further 0.15% on January 1, 2000; and were scheduled to rise by another 0.1% on January 1, 2001. Employee contributions were to revert to their previous levels on January 1, 2003. The higher contributions do not increase the benefit accruals of federal employees under either CSRS or FERS. The President's proposed budget for FY2001 included a legislative initiative to repeal the increase in employee contributions required by the BBA and two bills were introduced in the 106<sup>th</sup> Congress for that purpose (H.R. 2631/S. 1472). The higher contribution rates were repealed for all federal employees with the exception of Members of Congress by P.L. 106-346, the FY2001 Department of Transportation Appropriations Act.

**Law Enforcement —Washington Area Airport Authority.** Section 636 of H.R. 5658 designates qualified members of the Metropolitan Washington Airports Authority as eligible to be treated as law enforcement officer under CSRS or FERS, as applicable. Federal law enforcement officers are permitted under both CSRS and FERS to receive an immediate, unreduced retirement annuity at age 50 with 20 years of service. Under FERS, employees in these positions are authorized to receive a retirement annuity at any age after 25 years of service. Law enforcement officers must retire upon reaching age 57 or after completing 20 years of service, if later. Federal law enforcement officers earn a larger retirement benefit for each year of service than regular federal employees. Under both CSRS and FERS, law enforcement officers contribute an additional 0.5% of pay over the amount contributed by regular federal employees.

**Increase in maximum allowable contributions to the Thrift Savings Plan.** The Thrift Savings Plan (TSP) was created by the Federal Employees' Retirement System Act of 1986 (P.L. 99-335) as a retirement savings plan for civilian federal employees. Under the terms of FERS Act, employees covered by the Federal Employees' Retirement System are permitted to contribute to the TSP the lesser of 10% of pay or the maximum deferral permissible under section 402(g) of the Internal Revenue Code (\$10,500 in 2001). Employees covered by the Civil Service Retirement System are permitted to contribute the lesser of 5% of pay or the maximum deferral permissible under IRC § 402(g). As amended by P.L. 106-554, the maximum allowable employee contribution to the TSP will increase by 1 percentage point each year for five years. The percentage-of-pay limitations on contributions to the TSP will then be eliminated. However, employee contributions to the TSP will remain subject to the limits applicable under IRC § 402(g).

Beginning with the open season that starts May 15, 2001, employees covered by FERS will be allowed to contribute up to 11 percent of pay to the TSP, and those under CSRS will be allowed to contribute up to 6 percent of pay to the TSP. These maximum permissible contributions will rise by 1 percentage point each year until they reach 15 percent for FERS and 10 percent for CSRS in fiscal year 2005. In fiscal 2006, the percent-of-pay limits on TSP contributions will be abolished, and employees will be subject only to the contribution limits then prevailing under IRC § 402(g).

## Federal Child Care

Section 633 of H.R. 5658, as enacted through P.L. 106-554 continues and modifies the provisions authorizing agencies to provide child care in federal facilities. Section 643 is a new provision requiring criminal background checks for employees at federally-provided day care facilities of the executive branch, as proposed in H.R. 4871.

The provisions in H.R. 4871 pertaining to federal child care resemble those included in last year's House version of the FY2000 Treasury, Postal, and General Government appropriations bill (H.R. 2490), and ultimately in law (P.L. 106-58). H.R. 4871, as passed by the House on July 20, 2000, includes a provision (Sec. 634) that would have continued to permit executive branch agencies (not including the General Accounting Office) to use agency funds (otherwise available for agency salaries and expenses) to provide child care services, in a Federal or leased facility, or through contract, for civilian employees of the agency. These funds would be used to improve the affordability of child care for lower income federal employees using or seeking to use the child care services offered by the agency facility or contractor. The bill stipulated that amounts paid to licensed or regulated child care providers would be paid in advance of child care services rendered, covering agreed upon periods as appropriate. The House also agreed to an amendment (H.Amdt.1019) which would have required that all current and newly hired workers in all child care centers located in federally owned or leased facilities undergo criminal background checks in compliance with the Crime Control Act of 1990.

The Senate's bill (S. 2900), as approved by the Senate Appropriations Committee on July 20, 2000, included language identical to H.R. 4871 with respect to the use of funds for improving affordability of child care for lower income federal employees (Sec. 634), but did not include the H.R. 4871 provision regarding the timing of payments to child care providers, nor the House amendment language requiring that current and newly hired child care workers in federal child care centers undergo criminal background checks.

The vetoed Legislative Branch Appropriations conference report included federal child care provisions (H.R. 4985, Sec. 633 and 643) identical to those in H.R. 4871, as passed, with respect to using funds to improve affordability of federal child care and requiring criminal background checks of child care workers. However, unlike H.R. 4871, the conference version (H.R. 4516/H.R. 4985) would not have provided for advance payment of salaries to providers. P.L. 106-554 enacted the language from the conference version.

## Major Funding Trends

The House and Senate Appropriations Committees have approved the allocations to the various appropriations. The House, on May 9, 2000, approved discretionary budget authority at \$14.088 billion, with outlays at \$14.563 billion. On July 19, the House Appropriations Committee reported a revised allocation (H.Rept. 106-761) of \$14.402 billion in budget authority and \$14.751 in outlays. The Senate,

on May 4, 2000, allocated \$14.3 billion for budget authority and \$14.566 billion for outlays. While the congressional numbers are in disagreement with one another, they are consistently lower than the requested funding. The administration's request for discretionary funding was for \$14.678 billion in budget authority (according to CBO calculations). H.R. 5658, as enacted through P.L. 106-554, funds the Treasury, Postal Service, and General Government accounts at \$30.31 billion. The mandatory accounts are funded at \$14.68 billion and the discretionary accounts at \$15.63 billion. P.L. 106-346 provides supplemental funding for the Treasury/General Government accounts in the amount of \$348 million.

The sum of mandatory and discretionary funding requested, before CBO scorekeeping, is \$30.8 billion. CBO calculates that total at \$31.2 billion.

**Table 2. Appropriations for the Treasury, Postal Service,  
Executive Office of the President, and General Government,  
FY1996 to FY2000**

(in billions of current dollars)<sup>a</sup>

FY1996	FY1997	FY1998	FY1999	FY2000
23.164	24.102	25.585	27.122	28.257

**Source for FY2000:** U.S. Congress, House, Committee on Appropriations, as of July 26 2000.

<sup>a</sup> These figures, in current dollars, **include CBO adjustments** for permanent budget authorities, rescissions, and supplementals, as well as other elements factored into the CBO scorekeeping process. For a brief presentation on CBO scorekeeping see: U.S. Congressional Budget Office, *Maintaining Budgetary Discipline: Spending and Revenue Options* (Washington: GPO, 1999). The appendix beginning on p. 281 provides the "Scorekeeping Guidelines," as found in the conference report to the Balanced Budget Act of 1997. Also available at [<http://www.cbo.gov/>].

**Table 3. Treasury, Postal Service, Executive Office of the President, and General Government Appropriations, FY2001, by Title**

(In millions, without CBO scorekeeping)

Title	FY2000 Enacted	FY2001 Request	House Passed	Senate Reported	H.R. 4516/ H.R. 4985 Vetoed Oct. 30	P.L. 106-346 Oct. 23 (H.R. 4475, Title V)	P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658
I. Treasury	\$12,317.5	\$14,520.7	\$13,200.9	\$13,161.4	\$13,597.7	\$306.1	13,597.7
II. USPS	93.1	96.1	96.1	67.1	96.1	—	96.1
III. EOP	654.4	702.2	681.5	594.8	691.3	10.5	691.3
IV. Agencies	14,969.1	16,437.8	15,123.7	15,610.3	15,986.4	31.8	15,986.4
Total	\$28,069.1	\$31,756.8	\$29,102.3	\$29,433.6	\$30,371.5	\$348.4	\$30,371.5

**Sources:**

- Conference Report on H.R. 4516, Legislative Branch Appropriations Act, 2001, *Congressional Record*, vol. 146, Jan. 14, 2000, p. H7608-7626. Chart showing Treasury and General Government accounts in detail appears on H7609-7611.
- Funding information for H.R. 4475 provided by staff of House Committee on Appropriations, Oct. 3, 2000.
- P.L. 106-554—Conference Report on H.R., 4577, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001, *Congressional Record*, vol. 146, Dec. 15, 2000, H.Rept. 106-1033, pp. H12100-12439. The act is to be known as the Consolidated Appropriations Act, 2001. Section 1(a)(3) enacts the Treasury and General Government Appropriation (H.R. 5658) by reference. Legislative text and explanatory remarks for H.R. 5658 appear on pages H12230-H12258. Chart showing Treasury and General Government accounts in detail appears on H12249-H12258.

**Table 4. Department of the Treasury, Postal Service, Executive Office of the President,  
and General Government Appropriations**

(in thousands of dollars)

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106- 346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106- 275, as amende d</b>	<b>P.L. 106- 554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<b>Title I: Department of the Treasury, Selected Accounts</b>								
Department Offices	134,034	161,006	149,437	150,112	156,315	6,424	–	156,315
Department -wide Systems and Capital Investments Programs	*43,448	99,279	41,787	37,279	47,287	15,000	–	47,287
Treasury Building Repair and Restoration	*22,700	31,000	31,000	22,700	31,000	8,000	–	31,000

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Office of Inspector General	*30,599	33,608	31,940	32,899	32,899	—	—	32,899
Inspector General for Tax Administration	*111,781	118,427	115,477	118,427	118,427	—	—	118,427
Expanded Access to Financial Services	—	30,000	2,000	400	2,000	—	—	2,000
Money Laundering Strategy	—	15,000	—	—	—	—	—	
Financial Crimes Enforcement Network	27,818	34,694	34,694	37,596	37,576	—	—	37,576

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Counter terrorism Fund (emergency funding)	—	55,000	—	55,000	55,000	—	—	55,000
Federal Law Enforcement Training Center	*105,202	110,814	110,814	122,403	123,688	30,000	—	123,688
Interagency Crime and Drug Enforcement	*60,502	103,476	103,476	90,976	103,476	—	—	103,476
Financial Management Service	*200,555	202,851	198,736	202,851	206,851	—	—	206,851
Bureau of Alcohol, Tobacco, and Firearms	*564,773	760,051	731,325	724,937	768,695	4,148	—	768,695



<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
U.S. Customs Service	*1,809,915	2,386,141	2,184,543	2,064,315	2,258,393	18,934	–	2,258,393
Bureau of the Public Debt	*177,133	182,901	182,901	182,901	182,901	–	–	182,901
Internal Revenue Service, Total	*8,216,489	8,943,674	8,452,998	8,535,069	8,639,493	–	–	8,639,493
<i>Processing, Assistance, and Management</i>	*3,280,250	3,699,499	3,487,232	3,506,939	3,567,001	–	–	3,567,001
<i>Earned Income Tax Credit Compliance Initiative</i>	144,000	145,000	145,000	145,000	145,000	–	–	145,000
<i>Tax Law Enforcement</i>	3,336,838	3,443,859	3,332,676	3,378,040	3,382,402	7,974	–	3,382,402

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Information Systems</i>	1,455,401	1,583,565	1,488,090	1,505,090	1,545,090	—	—	1,545,090
<i>Information Technology Investments</i>	—	71,751	—	—	—	71,751	—	—
<i>Staffing Tax Administration For balance and equity</i>	—	—	—	—	—	141,000	—	—
U.S. Secret Service	*691,497	829,521	828,821	782,562	832,741	2,904	—	832,741
Violent Crime Reduction Program (Crime Control Trust Fund)	*130,081	—	—	—	—	—	—	—

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Bureau of Alcohol, Tobacco and Firearms</i>	27,920	--	—	—	—	—	—	—
<i>Financial Crimes Enforcement Network</i>	*1,750	--	—	—	—	—	—	—
<i>Interagency Crime and Drug Enforcement</i>	*14,761		—	—	—	—	—	—
<i>U.S. Secret Service</i>	*3,570	--	—	—	—	—	—	—
<i>ONDCP-HIDTA</i>	--	--	—	—	—	—	—	—

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Gang Resistance Education and Training: Grants</i>	*11,880		—	—	—	—	—	—
<i>U.S. Customs Service</i>	61,000	--	—	—	—	—	—	—
<i>Federal Law Enforcement Training Center</i>	9,200	--	—	—	—	—	—	—
<i>Federal Drug Control Programs: Special Forfeiture Fund</i>	--	--	—	—	—	—	—	—
<b>Total, Treasury</b>	12,352,437	14,520,692	13,225,949	13,161,407	13,597,742	306,135	—	13,597,742

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Current Year, FY2001</i>	12,352,437	14,098,443	13,200,949	13,161,407	13,597,742	—	—	13,597,742
<i>Appropriations</i>	(12,317,537)	(14,043,443)	(13,200,949)	(13,105,905)	(13,542,742)	—	—	(13,542,742)
<i>Rescission</i>	—	—	—	—	—	—	—	<i>est.</i> (-29,794)
<i>Emergency Funding</i>	(34,900)	(55,000)	—	(55,502)	(55,000)	—	—	(55,000)
<i>Advance Approp. FY2002</i>	—	422,249	—	—	—	—	—	—

Bureau or Agency	FY2000 Enacted <sup>a</sup>	FY2001 Request	House Passed H.R. 4871	Senate Reported S. 2900	Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30	P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup>	P.L. 106-275, as amended	P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658
<b>Title II: U.S. Postal Service</b>								
Payments to Postal Service Fund	*28,620	29,000	29,000	—	29,000	—	—	29,000
<i>Advance Appropriation, FY2002</i>	64,436	67,093	67,093	67,093	67,093	—	—	67,093
<i>Rescission</i>	—	—	—	—	—	—	—	<i>est. (64)</i>
<b>Total, Postal Service</b>	*93,056	96,093	96,093	67,093	96,093	—	—	96,093
<b>Title III: Executive Office of the President (EOP) <sup>m</sup> and Funds Appropriated to the President</b>								
Compensation of the President	250	390	390	390	390	—	—	390
The White House Office (salaries and expenses)	*52,243	53,288	52,135	53,288	53,288	—	—	53,288

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Executive Residence at the White House (operating expenses)	*9,225	10,900	10,286	10,900	10,900	—	—	10,900
White House Repair and Restoration	*808	5,510	658	5,510	968	—	<sup>c</sup>	968
Office of the Vice President (salaries and expenses)	*3,609	3,673	3,664	3,673	3,673	—	—	3,673
Official Residence of the Vice President (operating expenses)	*330	354	354	354	354	—	—	354

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Council of Economic Advisers	*3,825	4,110	3,997	4,110	4,110	—	—	4,110
Office of Policy Development	4,017	4,032	4,030	4,032	4,032	—	—	4,032
National Security Council	6,970	7,165	7,148	7,165	7,165	—	—	7,165
Office of Administration	39,050	43,737	41,185	43,737	43,737	—	—	43,737
<i>Contingent</i>								
<i>Emergency</i>	8,400	—	—	—	—	—	—	—
<i>Supplemental</i>								
Office of Management and Budget	63,256	68,786	67,143	67,935	68,786	—	—	68,786



<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Office of National Drug Control Policy (ONDCP) Salaries and Expenses <i>Title II, P.L. 106-113</i>	22,823 3,000	25,400	24,759	24,312	24,759	—	—	24,759
ONDCP Counterdrug Technology Assessment Center	29,052	20,400	29,750	29,052	29,053	7,000	—	29,053
<i>Federal Drug Control Program, High Intensity Drug Trafficking Areas Program (HIDTA)</i>	191,271	192,000	217,000	196,000	206,500	—	—	206,500

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Federal Drug Control Program, Special Forfeiture Fund</i>	215,297	259,000	219,000	144,300	233,600	—	—	233,600
Funds Appropriated to the President - Unanticipated Needs	996	1,000	—	—	—	1,000	—	—
<i>Elections Commission - Puerto Rico</i>	—	2,500	—	—	—	2,500	—	—
<b>Total, EOP and Funds Appropriated to the President</b>	654,422	702,245	681,499	594,758	691,315	10,500	—	691,315

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Rescission	—	—	—	—	—	—	—	est. (1,521)
<b>Title IV: Independent Agencies</b>								
Committee for Purchase from People Who Are Blind or Severely Disabled	2,664	4,158	4,158	4,158	4,158	—	—	4,158
Federal Election Commission	38,008	40,500	40,240	39,755	40,500	—	—	40,500
Federal Labor Relations Authority	23,737	25,058	25,058	25,058	25,058	—	—	25,058
General Services Administration	137,059	870,988	152,471	167,557	632,211	—	—	632,211

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Federal Buildings Fund</i>	(-20,022)	681,871	—	—	464,154	11,350	—	464,154
<i>Advance Appropriations FY2002-2004</i>	—	477,484	—	374,345	276,400	—	—	276,400
<i>Policy and Operations</i>	116,223	136,980	115,434	123,420	123,920	13,789	—	123,920
<i>Office of Inspector General</i>	33,317	34,520	34,520	34,520	34,520	—	—	34,520
<i>Allowances and Office Staff for Former Presidents</i>	2,241	2,517	2,517	2,517	2,517	—	—	2,517
<i>Expenses, Presidential Transition</i>	—	7,100	—	7,100	7,100	—	7,100	7,100

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
Merit Systems Protection Board (salaries and expenses)	27,481	29,437	28,857	29,437	29,437	—	—	29,437
Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation	1,992	3,000	2,000	1,000	2,000	—	—	2,000
<i>Environmental Dispute Resolution Fund</i>	<i>1,245</i>	<i>1,250</i>	<i>1,250</i>	<i>500</i>	<i>1,250</i>	—	—	<i>1,250</i>

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
National Archives and Records Administration	222,622	309,355	201,171	220,793	305,395	—	—	305,395
<i>Operating Expenses</i>	179,674	209,393	195,119	209,393	209,393	—	—	209,393
<i>Reduction of Debt</i>	-5,598	-5,598	-5,598	-5,598	-5,598	—	—	-5,598
<i>Repairs and Restoration</i>	22,296	99,560	5,650	4,950	95,150	6,610	—	95,150
<i>National Historical Publications and Records Commission: Grants Program</i>	*4,250	6,000	6,000	6,450	6,450	—	—	6,450

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Records Center Revolving Fund</i>	22,000	--	—	—	—	—	—	—
Office of Government Ethics	9,080	9,684	9,684	9,684	9,684	—	—	9,684
Office of Personnel Management	14,458,081	14,615,866	14,608,779	14,607,000	14,609,403	—	—	14,609,403
<i>Salaries and Expenses</i>	90,240	100,558	93,471	94,095	94,095	—	—	94,095
<i>Office of Inspector General</i>	956	1,360	1,360	1,356	1,360	—	—	1,360

<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106-275, as amended</b>	<b>P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658</b>
<i>Government Payment for Annuitants, Employees Health Benefits</i>	5,105,395	5,427,166	5,427,166	5,427,166	5,427,166	—	—	5,427,166
<i>Government Payment for Annuitants, Employees Life Insurance</i>	36,200	35,000	35,000	35,000	35,000	—	—	35,000
<i>Payment to Civil Service Retirement and Disability Fund</i>	9,120,558	8,940,051	8,940,051	8,940,051	8,940,051	—	—	8,940,051
Office of Special Counsel	9,703	11,147	10,319	10,733	11,147	—	—	11,147



<b>Bureau or Agency</b>	<b>FY2000 Enacted <sup>a</sup></b>	<b>FY2001 Request</b>	<b>House Passed H.R. 4871</b>	<b>Senate Reported S. 2900</b>	<b>Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30</b>	<b>P.L. 106- 346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup></b>	<b>P.L. 106- 275, as amende d</b>	<b>P.L. 106- 554 Dec. 21 H.R. 4577/ H.R. 5658</b>
United States Tax Court	35,045	37,439	37,305	35,474	37,305	—	—	37,305

Bureau or Agency	FY2000 Enacted <sup>a</sup>	FY2001 Request	House Passed H.R. 4871	Senate Reported S. 2900	Leg. Branch Conf. Report H.R. 4516/ H.R. 4985 Vetoed Oct. 30	P.L. 106-346 Oct. 23 (H.R. 4475, Title V) <sup>b</sup>	P.L. 106-275, as amended	P.L. 106-554 Dec. 21 H.R. 4577/ H.R. 5658
<b>Total, Independent Agencies</b>	14,969,147	16,437,796	15,123,722	15,610,326	15,986,378	31,749	—	15,986,378
<i>Current Year, FY2001</i>	<i>14,969,147</i>	<i>15,960,312</i>	<i>15,123,722</i>	<i>15,610,326</i>	<i>15,709,978</i>	—	—	<i>15,709,978</i>
<i>Appropriations</i>	<i>(14,967,847)</i>	<i>(15,960,312)</i>	<i>(15,123,722)</i>	<i>(15,147,981)</i>	<i>(15,709,978)</i>	—	—	<i>(15,709,978)</i>
<i>Rescissions</i>	<i>(-2,000)</i>	—	—	—	—	—	—	<i>est. (34,562)</i>
<i>Advanced Approp., FY2002-2004</i>	—	<i>477,484</i>	—	<i>462,345</i>	<i>276,400</i>	—	—	<i>276,400</i>

**Sources:**

Conference Report on H.R. 4516, Legislative Branch Appropriations Act, 2001, *Congressional Record*, vol. 146, Jan. 14, 2000, p. H7608-H7626. Chart showing Treasury and General Government accounts in detail appears on H7609-H7611.

Funding information for H.R. 4475 provided by staff of House Committee on Appropriations, Oct. 3, 2000.

Conference Report on H.R. 5658, as enacted through P.L. 106-554, *Congressional Record*, vol. 146, Dec. 15, 2000, p. H12230-H12258. Chart showing Treasury and General Government accounts in detail appears on p. H12249-H12258.

**Table 4 Notes:**

- <sup>a</sup> The totals provided include the funding reductions pursuant to the 0.38% rescission required by P.L. 106-113. Those individual accounts noted with “\*” reflect the appropriated sum reduced by the rescission. Not all of the rescissions are at the .38% rate, because agencies had discretion as to how to apply the reductions.
- <sup>b</sup> Title V of P.L. 106-346 (H.R. 4475), Department of Transportation Appropriation, 2001, provides partial funding for selected accounts which are generally covered under the Treasury and General Government appropriation legislation.
- <sup>c</sup> P.L. 106-520 (H.J.Res. 125), a further continuing funding resolution which amends P.L. 106-275, the FY2001 continuing funding resolution, provides an authorization for the use of funds to support the moving of families to and from the White House. No specific amount is named, however, it is estimated that it will be about \$200,000.

## Glossary of Budget Process Terms

The following definitions are selected from the “Glossary of Budgetary Terms,” as found in *Manual on the Federal Budget Process*, a CRS report (98-720) by Robert Keith in consultation with Alan Schick.

**Account.** A control and reporting unit for budgeting and accounting.

**Appropriation.** A provision of law providing budget authority that permits federal agencies to incur obligations and to make payments, of the Treasury for specified purposes. Annual appropriations are provided in appropriations acts; most permanent appropriations are provided in substantive law.

**Authorization.** A provision in law that authorizes appropriations for a program or agency.

**Budget Authority.** Authority provided by law to enter into obligations that normally result in outlays. The main forms of budget authority are appropriations, borrowing authority, and contract authority.

**Budget Resolution.** A concurrent resolution passed by both Houses of Congress, but not requiring the signature of the President, setting forth the congressional budget for at least the next five fiscal years. The budget resolution sets forth various budget totals and functional allocations, and may include reconciliation instructions, to designated House or Senate committees.

**Continuing Resolution.** An act (in the form of a joint resolution) that provides budget authority to agencies or programs whose regular appropriation has not been enacted after the new fiscal year has started. A continuing resolution usually is a temporary measure that expires on a specified date or is superseded by enactment of the regular appropriations act. Some continuing resolutions, however, are in effect for the remainder of the fiscal year and are the means of enacting regular appropriations.

**Direct Spending.** Budget authority, and the resulting outlays, provided in laws other than annual appropriations acts. Appropriated entitlements are classified as direct spending. Direct spending is distinguished by the Budget Enforcement Act from discretionary spending and is subject to the PAGO rules. It is also referred to as “mandatory spending.”

**Discretionary Spending.** Budget authority, and the resulting outlays, provided in annual appropriations acts, but not including appropriated entitlements.

**Federal Funds.** All monies collected and spent by the federal government other than those designated as trust funds. Federal funds include general, special, public enterprise, and intragovernmental funds.

**Mandatory Spending.** See “Direct Spending.”

**Obligation.** A binding agreement (such as through a contract or purchase order) that will require payment.

**Outlays.** Payments made (generally through the issuance of checks or disbursement of cash) to liquidate obligations. Outlays during a fiscal year may be for payment of obligations incurred in prior years or in the same year.

**PAGO (Pay-as-You-Go) Process.** The procedure established by the Budget Enforcement Act to ensure that revenue and direct spending legislation does not add to the deficit or reduce the surplus. PAGO requires that any increase in the deficit or reduction in the surplus due to legislation be offset by other legislation or sequestration. PAGO is enforced by estimating the five-year budgetary effects of all new revenue and direct spending laws.

**Reconciliation Process.** A process established in the Congressional Budget Act by which Congress changes existing laws to conform tax and spending levels to the levels set in a budget resolution. Changes recommended by committees pursuant to a reconciliation instruction are incorporated into a reconciliation bill.

**Revolving Fund.** An account or fund in which all income derived from its operations is available to finance the fund's continuing operations without fiscal year limitation.

**Scorekeeping.** Procedures for tracking and reporting on the status of congressional budgetary actions affecting budget authority, receipts, outlays, the surplus or deficit, and the public debt limit.

**Supplemental Appropriation.** Budget authority provided in an appropriations act in addition to regular or continuing appropriations already provided. Supplemental appropriations acts sometimes include items not included in regular appropriations acts for lack of timely authorization.

**Trust Funds.** Accounts designated by law as trust funds for receipts and expenditures earmarked for specific purposes.

**User Fees.** Fees charged to users of goods or services provided by the federal government. In levying or authorizing these fees, Congress determines whether the revenue should go into the U.S. Treasury or should be available to the agency providing the goods or services.

## For Additional Reading

### CRS Issue Briefs

CRS Issue Brief IB10053, *Federal Employees and the FY2001 Budget*, by Sharon S. Gressle.

CRS Issue Brief IB95035, *Federal Regulatory Reform: An Overview*, by Roger Garcia.

CRS Issue Brief IB10014, *Gun Control*, by William J. Krouse.

CRS Issue Brief IB89148, *Item Veto and Expanded Impoundment Proposals*, by Virginia A. McMurtry.

### CRS Info Packs

CRS Info Pack 517G, *Government Performance and Results Act: Implementing the Results*.

### CRS Reports

CRS Report 98-648, *Appropriations Bills: What Are “General Provisions?”*, by Sandy Streeter.

CRS Report 98-558, *Appropriations Bills: What is report language?* by Sandy Streeter.

CRS Report RL30202, *Appropriations for FY2000: Treasury, Postal Service, Executive Office of the President, and General Government*, coordinated by Sharon S. Gressle.

CRS Report RL30512, *Appropriations for FY2001: Legislative Branch*, by Paul Dwyer.

CRS Report 97-635, *The Balanced Budget Act of 1997: Retirement and Health Insurance Provisions for Postal and Federal Personnel*, by Carolyn L. Merck.

CRS Report RL30458, *The Budget Reconciliation Process: Timing of Legislative Action*, by Robert Keith.

CRS Report RS20255, *Civil Service Retirement Bills in the 106<sup>th</sup> Congress*, by Patrick J. Purcell.

CRS Report RL30023, *Civil Service Retirement Programs: Financing and Budget Status*, by Patrick Purcell.

CRS Report 97-684, *The Congressional Appropriations Process: An Introduction*, by Sandy Streeter.

CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Recent Practices*, by Sandy Streeter.

CRS Report 98-157 GOV, *Congressional Overrides of Presidential Vetoes*, by Gary L. Galemore.

CRS Report RL30353, *Discretionary Spending Limits and Social Security Surplus*, by Robert Keith.

CRS Report 96-329, *Federal Civilian Employment Reduction*, by Barbara L. Schwemle.

CRS Report RL30336, *The Federal Employees Health Benefits Program*, by Carolyn L. Merck.

CRS Report RL30698, *Federal Employees' Overtime Pay: 106<sup>th</sup> Congress Legislation*, by Barbara L. Schwemle.

CRS Report 98-956, *Federal Pay: FY2000 Salary Adjustment*, by Barbara L. Schwemle.

CRS Report RL30359, *Federal Pay: FY2001 Salary Adjustment*, by Barbara L. Schwemle.

CRS Report 98-558, *Government Performance and Results Act and the Appropriations Process*, by Sandy Streeter.

CRS Report RS20257, *Government Performance and Results Act: Brief History and Implementation Activities During the First Session of the 106<sup>th</sup> Congress*, by Genevieve J. Knezo.

CRS Report 97-382, *Government Performance and Results Act: Implications for Congressional Oversight*, by Frederick M. Kaiser and Virginia A. McMurtry.

CRS Report 98-4, *Implementation of P.L. 105-206: Personnel Management Flexibility for the Internal Revenue Service*, by Barbara L. Schwemle.

CRS Report 98-721, *Introduction to the Federal Budget Process*, by Robert Keith.

CRS Report RL30536, *IRS Restructuring and Tax Law Compliance*, by Sylvia Morrison.

CRS Report RS20278, *Judicial Salaries: Current Situation*, by Sharon S. Gressle.

CRS Report RS20644, *Long-term Care Insurance for Federal Personnel*, by Carolyn L. Merck.

CRS Report RL30254, *Long-term Care: The President's FY2001 Budget Proposals and Related Legislation*, by Carol V. O'Shaughnessy, Bob Lyke, and Carolyn L. Merck.

- CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith.
- CRS Report RL30194, *Merit Systems Protection Board: Background, Strategic and Performance Plans, and Congressional Oversight*, by Barbara L. Schwemle.
- CRS Report 98-773, *Office of Personnel Management: Background, Strategic and Performance Plans, and Congressional Oversight*, by Barbara L. Schwemle.
- CRS Report 94-971, *Pay and Retirement Benefits for Federal Civil Service and Military Personnel: Increases from 1969 to 2000*, by Patrick Purcell.
- CRS Report 98-147 GOV, *President Clinton's Vetoes*, by Gary L. Galemore.
- CRS Report RS20709, *Presidential Transition 2000-2001: Background and Federal Support*, by Stephanie Smith.
- CRS Report 98-156 GOV, *The Presidential Veto and Congressional Procedure*, by Gary L. Galemore.
- CRS Report 98-148 GOV, *Presidential Vetoes, 1789-Present: A Summary Overview*, by Gary L. Galemore.
- CRS Report RS20212, *Restructuring of the IRS: Where Does It Stand?*, by Sylvia Morrison.
- CRS Report 98-53, *Salaries of Federal Officials*, by Sharon S. Gressle.
- CRS Report RL30014, *Salaries of Members of Congress: Current Procedures and Recent Adjustments*, by Paul E. Dwyer.
- CRS Report 97-1011, *Salaries of Members of Congress: Payable Rates and Effective Dates, 1789-1999*, by Paul E. Dwyer.
- CRS Report RS20388, *Salary Linkage: Members of Congress and Other Federal Officials*, by Sharon S. Gressle.
- CRS Report RS20114, *Salary of the President Compared with That of Other Federal Officials*, by Sharon S. Gressle.
- CRS Report RS20115, *Salary of the President: Process for Change*, by Sharon S. Gressle.
- CRS Report RL30363, *The Sequestration Process and Across-the-Board Spending Cuts for FY2000*, by Robert Keith.
- CRS Report 98-844, *Shutdown of the Federal Government: Causes, Effects, and Process*, by Sharon S. Gressle.
- CRS Report RL30443, *The 0.38 Percent Across-the-Board Cut in FY2000 Appropriations*, by Robert Keith.



CRS Report RS20111, *Travel Costs of the President, Vice President, and First Lady*, by Rogelio Garcia.

CRS Report RL30450, *United States Office of Special Counsel: Background, Strategic and Performance Plans, and Congressional Oversight*, by Barbara L. Schwemle.

CRS Report RS20719, *Vetoed Annual Appropriations Acts: Presidents Carter through Clinton*, by Gary L. Galemore.

## Other Readings

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U.S. Congress, Senate, Committee on Appropriations, *Treasury and General Government Appropriation Bill, 2000*, report to accompany S. 1282, 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S.Rept. 106-5887 (Washington: GPO, 1999).

U.S. Congressional Budget Office, *Maintaining Budgetary Discipline: Spending and Revenue Options* (Washington: GPO, 1999). [Available on CBO Web site.]

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———, High Risk Series, *IRS Management*, GAO Report HR 97-8 (Washington: February 1997).

———, *Customs Service: Comments on Strategic Plan and Resource Allocation Process*, GAO Report GGD-98-15, (Washington: October 16, 1998).

———, *Major Management Challenges and Program Risks: Department of the Treasury*, GAO report OCG-99-14, (Washington: October 21, 1998).

———, Performance and Accountability Series, *Major Management Challenges and Program Risks: A Governmentwide Perspective*, GAO report GAO-01-241, (Washington: January 2001).

———, *Major Management Challenges and Program Risks: Department of the Treasury*, GAO report GAO-01-254, (Washington: January 2001).

———, *Major Management Challenges and Program Risks: U. S. Postal Service*, GAO report GAO-01-262, (Washington: January 2001).

## **Selected World Wide Web Sites**

Important information regarding current and past budgets (including budget documents), the federal budget process, and duties and functions are available at the following web sites.

Congressional Budget Office (CBO)

[<http://www.cbo.gov>]

General Accounting Office (GAO)

[<http://www.gao.gov>]

National Commission on Restructuring the Internal Revenue Service

[<http://www.house.gov/natcommirs/main.htm>]

Office of Government Ethics

[<http://www.usoge.gov>]

Office of Management and Budget (OMB)

[<http://www.whitehouse.Gov/OMB/index.html>]

Office of Management and Budget, Statements of Administration Policy (SAPS)

[<http://www.whitehouse.Gov/OMB/legislative/sap/index.html>]